

OXFORD

MAGNANIMOUS DUKES AND RISING STATES

*The Unification of the Burgundian Netherlands,
1380–1480*

ROBERT STEIN



VISIT...

LANZAROTE
Caliente.COM

OXFORD STUDIES IN MEDIEVAL
EUROPEAN HISTORY

General Editors

JOHN H. ARNOLD PATRICK J. GEARY

and

JOHN WATTS

Magnanimous Dukes and Rising States

*The Unification of the Burgundian
Netherlands, 1380–1480*

ROBERT STEIN

OXFORD
UNIVERSITY PRESS

OXFORD
UNIVERSITY PRESS

Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© Robert Stein 2017

Translation of *De hertog en zijn Staten. De eenwording van de Bourgondische
Nederlanden*, ca. 1380–1480 (Hilversum, Verloren, 2014). ISBN 978-90-8704-388-9.
Translated by Marilyn Hedges, M.A.

The moral rights of the author have been asserted

First Edition published in 2017

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data
Data available

Library of Congress Control Number: 2016951954

ISBN 978-0-19-875710-8

Printed in Great Britain by
Clays Ltd, St Ives plc

Links to third party websites are provided by Oxford in good faith and
for information only. Oxford disclaims any responsibility for the materials
contained in any third party website referenced in this work.

Acknowledgements

It seems so simple: in the fifteenth century the Duke of Burgundy subjected many principalities to his rule, creating a new state that extended the boundaries of the Netherlands. The rise and fall of the Burgundian house has fascinated historians for centuries, and I, too, was enthralled by the spectacular events of the fifteenth century. Hidden behind the apparent success of the Burgundian dynasty lies the regional world of the former principalities. The rise to power of the new dynasty was a fascinating process of integration and social change, of continuity and discontinuity, rather than a straightforward centralization of government. In this book I investigate the background of the unification of the Netherlands, not primarily from the perspective of a dynasty aiming at centralization, but from the viewpoint of the former principalities that continued to exist as provinces in a composite monarchy.

The present book goes back a long way. It is a translation of the Dutch *De hertog en zijn Staten* that appeared in 2014. The writing and translation of a book is not a solitary work. It evolves over the years, as a result of many discussions with—and suggestions by—colleagues, students, and friends. I am indebted to the staff of the many archives and libraries in Belgium, France, and the Netherlands, who are the guardians of our historical culture, indispensable to the present study. In the Leiden University library in particular I found a stimulating and warm welcome. I would like to thank the students at Leiden University, who over many years took my classes on Burgundian history and on state formation, and who never failed to challenge me with their critiques, curiosity, and inquisitiveness. I am very grateful to my colleagues for their intellectual generosity in sharing their knowledge, insights, and findings. There are a few colleagues I want to mention explicitly. First of all, those who were involved in the NWO project that laid the roots of this book: Wim Blockmans, Marc Boone, Mario Damen, Jan Dumolyn, Walter Prevenier, and Hilde De Ridder-Symoens.

The Department of History at Leiden University is a very stimulating place to work. It is where I often discussed my ideas with my direct colleagues at the section of Medieval History, Peter Hoppenbrouwers, Hans Mol, Aart Noordzij, Louis Sicking, Claire Weeda, and especially Justyna Wubs-Mrozewicz. My research assistants Justine Smithuis, Maurits den Hollander, and Anne Beckers helped me to phrase, rephrase, and correct my text; Marilyn Hedges undertook the difficult task of translating the book, with all its complex institutional terminology, from Dutch into English.

Three people deserve an extra mention. My wonderful former colleague and mentor Wim Blockmans closely followed the genesis of this book, and was always prepared to counsel me and to discuss and modify my interpretations. Secondly,

I want to thank Antheun Janse, with whom I had so many stimulating discussions in the corridor between our offices over the decline of the Holland dynasty and the rise of Burgundian power. Finally, I want to thank my mother, Tineke Stein-Wilkeshuis, not just for the interest she showed during the research for and the writing of this book, but also for reading through the manuscript.

Contents

<i>List of Figures</i>	ix
<i>List of Maps</i>	xi
<i>List of Tables</i>	xiii
<i>List of Abbreviations</i>	xv

1. The Burgundian Union: By Way of Introduction	1
1.1 Limits	1
1.2 State Formation in the Burgundian Netherlands	7
2. The Titles	15
2.1 Introduction	15
2.2 The Border Areas of the Empire and France	19
2.3 The Reign of Philip the Bold	22
2.4 Expansion in the Fifteenth Century	35
2.5 Patterns	48
2.6 Conclusion	51
3. The Representative Institutions	53
3.1 Introduction	53
3.2 States and Orders	54
3.3 Political Role	71
3.4 Conclusion	78
4. The Attraction of a Union	79
4.1 Introduction	79
4.2 Bankrupt Dynasties	81
4.3 Financial and Social Repercussions	97
4.4 The Burgundian Alternative	103
4.5 Conclusion	114
5. Towards a New Structure of Government	115
5.1 Introduction	115
5.2 The Nucleus of Power	117
5.3 The Provinces	127
5.4 The Integration of the Administration	146
5.5 Conclusion	150
6. The Jurisdiction	152
6.1 Introduction	152
6.2 The Bailiwicks	154
6.3 The Provincial Council Chambers	161

6.4 The Great Council and Parliament of Mechelen	177
6.5 Conclusion	182
7. The Financial Organization	185
7.1 Introduction	185
7.2 Receivers	186
7.3 Auditing the Accounts	197
7.4 The Results	216
7.5 For the Common Good?	220
7.6 Conclusion	224
8. The Taxes	226
8.1 Introduction	226
8.2 Argumentation	227
8.3 The Financial Importance	232
8.4 The Distribution of the Fiscal Burden	239
8.5 Concessions	244
8.6 Clergy and Nobility	249
8.7 Conclusion	253
9. Summa summarum	255
Epilogue	262
<i>Bibliography</i>	265
<i>Index</i>	307

List of Figures

1.1. Johan Huizinga (1872–1945)	3
1.2. Henri Pirenne (1862–1935)	4
2.1. Panel by master WA (after 1472), showing the coats of arms of Charles the Bold, surrounded by those of his duchies and counties	16
2.2. Seal of Philip the Bold (1387)	17
2.3. Simplified genealogical table of the dukes of Burgundy, counts of Flanders, Artois, Franche-Comté, Nevers, and Rethel (before ca. 1400)	21
2.4. Simplified genealogical table of the Brabant line of inheritance (1355–1430)	28
2.5. Division of the inheritance of Philip the Bold among his sons John the Fearless, Anton of Brabant, and Philip of Nevers	33
2.6. The murder of John the Fearless on the bridge of Montereau (1419)	34
2.7. Simplified genealogical table of the House of Bavaria (1404/1406–30)	37
2.8. Simplified genealogical table of the House of Luxemburg	44
2.9. Simplified genealogical table of the Houses of Guelders, Jülich, and Berg	47
3.1. Number of assemblies of the States of Holland and Zeeland, 1401–80	58
3.2. Brabant urban league of 8 March 1355	65
3.3. Brabant league of nobles of 17 May 1355	66
3.4. The States of Brabant ask Philip of St Pol to act as regent (1421)	74
4.1. John of Nassau's letter of abuse (ca. 1420)	95
4.2. Incidental donations from the French crown to Philip the Bold and John the Fearless, 1382–1419	105
5.1. Charles the Bold presenting a military ordinance to the commanders (1473)	119
5.2. Geographic origin of the most important courtiers (<i>écuyers</i> , stewards, and chamberlains) based on the court ordinances, 1433, 1445, 1458, and 1477	120
5.3. Geographic origin of the knights of the Order of the Golden Fleece, 1430–81	126
5.4. Number of university-trained council members in the council chambers of Flanders, Brabant, and Holland-Zeeland, 1380–1480	144
5.5. Travels of the envoys between the central administration and the provinces	147
5.6. Number of assemblies of the States-General, 1431–76	149
6.1. The legal system in the Netherlands: the situation ca. 1475	154
6.2. Status of the bailiwicks in Flanders, Brabant, and Holland in 1465	158
7.1. Financial organization of the provinces in the late Middle Ages	187
7.2. Development of the office of receiver-general in Burgundy, 1386–1477	191
7.3. Auditors of the <i>Chambre des comptes</i> of Paris (ca. 1450)	201
7.4. Officers involved in the establishment of the audit offices in Dijon, Lille, Brussels, and The Hague	202

7.5. Audit master Bartelomeus a la Truye	205
7.6. Account of Holland with notes by the auditors	211
7.7. Exchange rate of the <i>vierlander</i> compared to the Venetian ducat in Bruges	219
8.1. Amount of the aids and fines in the core provinces, 1425–63 in pounds	242
8.2. Marinus van Reymerwael. The tax collector	248
9.1. <i>Summa summarum</i> —grand total—of the Holland clerk to the treasurer Filips Engelbrechtszoon (1417)	256

List of Maps

1.1. The Burgundian lands at the time of Philip the Good	6
2.1. Brabant, Limburg, and the Lands of Overmaas	31
4.1. Allodial possessions of John of Bavaria, in 1424 bequeathed to Philip the Good	107

List of Tables

1.1. Estimate of the area and the number of inhabitants of the Burgundian provinces in the fifteenth century	13
2.1. Payment of debts on the duchy of Limburg and the Lands of Overmaas by Philip the Bold	30
2.2. Partition of the Burgundian inheritance	32
2.3. Year of effective exercise of power and formal acquisition of the most important Burgundian provinces	49
3.1. Number of assemblies in Flanders, Brabant, and Holland, and the participation by the different orders	59
3.2. Number of assemblies of the States of Guelders, 1471–9	59
3.3. Origin of the third order	67
3.4. Composition of the first order in the representative institutions	70
4.1. Estimate of the size of several provincial courts in the Netherlands	81
4.2. Number of feasts and tournaments at the court of Brabant, 1406–30	82
4.3. Wars of the duchy of Brabant (1350–1430)	83
4.4. Wars of the county of Holland (1350–1430)	85
4.5. Estimated wealth of the Christian sovereigns in the first quarter of the fifteenth century, expressed in ducats	103
4.6. Domain incomes of the Burgundian lands, 1445	104
4.7. Regular gifts from the French king	105
5.1. Composition of the Council of Flanders, 1409	117
5.2. Places of residence of the court of Burgundy during the reign of Philip the Good (1419–67)	121
5.3. Origin of the members of the Great Council, as determined in the General Privilege and actually appointed 1477	125
5.4. Chapter meetings of the Golden Fleece, 1430–77	127
5.5. Date of appointment of a stadtholder in the Burgundian provinces	128
5.6. Date of the establishment of the provincial councils: core council and permanent location	133
5.7. Demands set out in 1477 with regard to the origin of the members of Brabant, Flanders, Holland, and Namur	140
5.8. Geographical origin of the officials of the Councils of Brabant, Flanders, and Holland-Zeeland	141
5.9. Number of assemblies of the provincial representative institutions (ca. 1430–ca. 1476)	149

5.10. Attendance of the duke and members of the councils at the assemblies of the Members of Flanders and the States of Holland and Zeeland (percentages)	150
6.1. Overview of the bailiwicks in the Netherlands: the oldest mention and numbers in ca. 1450	156
6.2. Date of the introduction of the Ministry of Public Affairs in the provincial councils	166
6.3. Dates when series of registers were set up in the provincial council chambers	169
6.4. Oldest mention of clerks of court in the provincial council chambers	170
6.5. Content of the ordinance for the Council of Holland, 1462	172
6.6. Date and length of the ordinances of the Councils of Flanders, Hainaut, Brabant, Holland-Zeeland, Guelders, and Namur	173
6.7. Role of the second and third orders of Holland-Zeeland in the development of the Council of Holland	175
6.8. Composition of the Parliament of Mechelen, 1474	179
6.9. Submission of the provincial councils to the Great Council/Parliament of Mechelen	181
6.10. Specification of the cases brought before the Great Council and the Parliament of Mechelen (1470–6)	181
7.1. Reform of the receiverships in the Burgundian provinces	193
7.2. Jurisdiction of the Burgundian audit offices (ca. 1460)	208
7.3. Introduction of accounting audits in the Burgundian provinces	209
7.4. Net income from the domains, 1445 and 1467–8 in pounds	218
8.1. Compulsory motivations for providing an aid (situation ca. 1425)	231
8.2. Overview of the earliest occurrences of long-term aids in the Burgundian principalities	233
8.3. Overview of the earliest occurrence of the regular aid in the Burgundian principalities	235
8.4. Development of the regular aid in Flanders	236
8.5. Division of the great aid of 1473 in the southern principalities	238
8.6. Estimate of the importance of the aids for the Burgundian finances (1445, 1468–73)	238
8.7. Receipt of the revenues of the aids at regional and central level	239
8.8. Relative positions between the core provinces in the distribution of the aids, 1462–4	243
8.9. Revenues in the Netherlands from the tax on the <i>nouveaux acquets</i> , 1474–6	251

List of Abbreviations

AB	Annales de Bourgogne
ADCO	Dijon, Archives départementales de la Côte d'Or
ADN	Lille, Archives départementales du Nord
AR	Brussels, State archives of Belgium
ASRAB	Annales de la Société royale d'archéologie de Bruxelles
ASAN	Annales de la Société archéologique de Namur
BCRALO	Bulletin de la Commission royale des anciennes lois et ordonnances de Belgique
BCRH	Bulletin de la Commission royale d'histoire
BG	Bijdragen tot de Geschiedenis
BMGN	Bijdragen en mededelingen betreffende de Geschiedenis der Nederlanden
BMGelre	Bijdragen en mededelingen Gelre
BNB	Biographie nationale de Belgique
BVGO	Bijdragen voor de vaderlandsche geschiedenis en oudheidkunde
BY	Jan van Boendale (and continuator), Brabantsche Yeesten
CC	Brussels, AR Chambre des Comptes
KAWLSK	Koninklijke akademie voor Wetenschappen, Letteren en Schone kunsten
KB	Koninklijke Bibliotheek / Royal Library
LMA	Lexikon des Mittelalters
MA	Le Moyen Age
MD	Brussels AR, Manuscrits divers
MNW	Verwijs, Verdam, <i>Middelnederlandsch woordenboek</i>
MSDB	Mémoires pour l'histoire du droit et des institutions des anciens pays bourguignons, comtois et romands
NA	The Hague, National Archives
NAGN	[New] Algemene Geschiedenis der Nederlanden (15 vols, Haarlem 1980–1983)
NBW	Nationaal biografisch woordenboek
PCEEB	Publications du Centre Européen des études Bourguignonnes
PSHIL	Publications de la section historique de l'Institut royal grand-ducal de Luxembourg
RBPH	Revue Belge de philologie et d'histoire
Rekreg	NA, Grafelijkheidsrekenkamer, registers
Rekrek	NA, Grafelijkheidsrekenkamer, rekeningen
RN	Revue du Nord
SAL	Leuven, Stadsarchief
SL	Standen en Landen
TRG	Tijdschrift voor rechtsgeschiedenis / The legal history review
TVG	Tijdschrift voor geschiedenis

1

The Burgundian Union

By Way of Introduction

1.1 LIMITS

On 7 October 1430, a funeral procession proceeded from the Leuven court chapel to the nearby parish church of Tervuren. A large number of princes, bishops, abbots, priests, and townspeople accompanied Philip of St Pol, Duke of Brabant, to his final resting place. His body, shrouded in black cloth, was at the heart of the procession. Sixteen high nobles gathered around the late duke, their hands resting on the bier. These in turn were surrounded by 250 men, all dressed in black, who had been the duke's heralds, secretaries, falconers, valets, kitchen servants, and others who had belonged to his household. For several years they had shared their destiny with him through thick and—more often—through thin. Some of them may have cast their minds back to the events of the previous few months, when the duke conceived the plan to arrange a wedding with a royal princess, how he suddenly died under mysterious circumstances, how the States of Brabant had an autopsy performed on his body, and how the body was laid out for two months in the Leuven court chapel, because the States could not decide who they should inaugurate as his successor. That was all over now. The vivid colours of the festive wedding finery may still have shown through the sombre black of the mourning robes. At another point in time, no trouble or expense had been spared in dressing all courtiers in ceremonial garb for the wedding. Now the Duke was dead and the money had run out. The treasurer had the brightly coloured cloth dyed black to save money.¹

Philip of St Pol's death was an end point in several respects. With the childless duke, the independent duchy of Brabant, a principality that had been of great political significance in the Low Countries for centuries, went to its grave. With him, the Brabantine court that had played a leading role in the thirteenth and fourteenth centuries disappeared. And for the courtiers, too, the funeral meant a turning point. This was the last time they gathered around their lord. They dispersed, and most of them sank into anonymity.

¹ This reconstruction is based on the distribution of mourning cloth in 1430 (Brussels AR, CC 2408, f. 33r–38) and the description in the continuation of the *Brabantsche Yeeften* (BY VII vs. 18020–35). The composition of the funeral procession is partly derived from the funeral of Duke Anton: Brussels AR, CC 131, f. 177r–178v and CC 2399, f. 98v–106r. Compare: Stein, 'Gifts'; Chevalier de Gottal, 'Funérailles', 79–88.

Le duc est mort, vive le duc. A day after the funeral, Philip the Good, Duke of Burgundy, Count of Flanders, and prince of many other counties and lordships, was inaugurated in Brussels, to displays of great joy and delight and with festivities and enormous honours (*met minnen, met bliscapen, feesten, met groter eere*).² For Brabant this heralded the start of a period of transition. The duchy now became part of a much larger territorial polity, which would soon encompass almost the whole of the Low Countries. It became absorbed into the international ambitions of the new dynasty. More importantly, the existing administrative, financial, and judicial organization was partially dismantled, and partially encapsulated in new structures. New institutions were formed, staffed by new servants. Brabant was not the only principality that fell into the hands of the Burgundian dynasty in this period. John III, Count of Namur, died almost at the same time as Philip of St Pol; six years later, Jacqueline of Bavaria, Countess of Hainaut, Holland, and Zeeland, passed away, followed fifteen years later by Elisabeth of Görlitz, Duchess of Luxemburg. All died childless, and their principalities were added to the rich list of duchies, counties, and lordships in the possession of the Burgundian dynasty.

The rise of the House of Burgundy can be read as the success story of a dynasty that in little over a century managed to assemble a great number of principalities, thus creating a new state. In 1363, the French King John II gave the duchy of Burgundy to his youngest son, Philip the Bold. A century later Philip's grandson, Philip the Good, ruled over ten medium-sized principalities, located in the border regions of the Empire and France. In the south, his possessions consisted of Burgundy and Franche-Comté; in the north, of important parts of the Low Countries. In 1475 his son Charles the Bold succeeded in connecting the northern and southern parts by obtaining the interjacent territories. Burgundian power had expanded so far that the dukes attempted repeatedly to transform their lands into a single kingdom with an independent status, free of the disruptive interference of the Emperor and the King of France. Ultimately their success backfired on them. The final years of Charles the Bold were enveloped in a cloud of gunpowder, and when he perished in 1477, many of the earlier gains were lost, including the duchy of Burgundy that had been the start of the whole affair more than a century earlier. What remained was a series of possessions in the Low Countries and Franche-Comté, now under the authority of Maximilian of Habsburg, who had married Charles' daughter Mary in 1477.

All this raises the question of what was the nature of the polity created by the Burgundian dynasty. In 1930, the Dutch cultural historian Johan Huizinga (1872–1945; Figure 1.1) taught a course at the Sorbonne on *L'État bourguignon*, the Burgundian state. Obviously Huizinga was well aware of the problematic nature of the central concept of 'State'. He started his discourse by giving the term a more subtle shade of meaning. In his view, a true Burgundian state only existed between 1477 and 1579, from the time when the Netherlands definitively broke away from France, until its equally final separation into a northern and a southern

² Quote: *BYVII* 18040–1.



Figure 1.1. Johan Huizinga (1872–1945). Leiden University Library, Icones Leidenses, nr. 360

part.³ But Huizinga's course actually focused on the previous period that stretched from 1363 to 1477, when the great dukes of Burgundy, Philip the Bold, John the Fearless, Philip the Good, and Charles the Bold, reigned over a myriad of principalities and lordships. The convenience of the term *Burgundian state* led him to use it for the earlier period as well. Huizinga was cautious, but others used the expression *État bourguignon* with less restraint: Henri Pirenne (Figure 1.2) as a chapter title in his monumental *Histoire de Belgique*, and the French historian Bertrand Schnerb as the title of a book. The latter was not so much concerned with the relationship between the Burgundian union and France, but with how it was organized, how the institutions of state were established, and how they developed over time.⁴

The hesitation in referring to an *état* and the caution with which the term was used are symptomatic. The development of Burgundian power and the institutionalization inherent in it are an unmistakable part of a process of state formation, of

³ Huizinga, 'État', 161. In reality, the Netherlands only in 1529 became independent from France. At the same time, one may wonder how 'Burgundian' this state still was: France annexed the duchy of Burgundy in 1477.

⁴ Schnerb, *État*, 8–9.



Figure 1.2. Henri Pirenne (1862–1935). KIK IRPA, object number 20007645

centralization, rationalization, and expansion and of the establishment of a state monopoly.⁵ But did this result in the formation of a true Burgundian state? A state is the intended end product of state formation. In a modern state, the government has a high degree of sovereignty over its territory and population; however, in the late Middle Ages, this ideal was still a long way off. It is only under a very general definition that the Burgundian union can be regarded as a state; such a definition is Bernard Guenée's trichotomy territory-population-government: *Il y a État dès qu'il y a sur un territoire, une population obéissant à un gouvernement.*⁶ There was indeed something resembling a central government, formed by the Burgundian dukes and their administration, who ruled over a sizeable, more or less recognizable territory inhabited by a large population. But, in that case, what is the relationship between subjects and government? In other words, if the Burgundian union—or any other medieval polity—is characterized as a 'state', or *état*, does this not overemphasize its centre? Should it not be regarded rather as a personal union, comprising diverse principalities, each with its own institutions and customs?

This present study focuses on the administrative establishment of the Burgundian Netherlands, namely the organization of governance, justice, and finance. The dukes of Burgundy were heirs to a large number of regional dynasties. Inevitably, the rise of Burgundian power led to a series of profound institutional changes given that, along with the regional dynasties, the princely courts that had traditionally

⁵ Elias, *Civilisatieproces*, 266.

⁶ Guenée, *Occident*, 62–3.

been the centres of administration and justice also disappeared. The expansion of Burgundian power was accompanied by a professionalization of administration, the renewal of the financial and judicial institutions and the introduction of systematic tax collection. Even so, these new institutions were indebted to those that had developed in the principalities over the previous centuries. All in all, it is safe to say that there was both continuity and change. Some of the institutions of the former principalities were incorporated into the new structure; some of the former structures remained in place, and a number of new ones were created.

However, I intend more than to write just an institutional history of the Burgundian union, more than simply to reconstruct the composition and competence of a series of late medieval institutional bodies. Institutions, whether they have administrative, judicial, or financial tasks, play a role in society, be it in the service of the central government in its efforts to strengthen its power or improve its access to finance, or in serving the subjects, maintaining law and order, and enabling proper monitoring of the government. Institutions can therefore only be understood from their social and political contexts. Applied to the Netherlands in the fourteenth and fifteenth centuries, the ambitions of the Burgundian dukes were confronted, sometimes frustrated, by those of their new subjects. In this book I will examine the development of the institutions in the field of tension between ruler and subject, between centralization and particularism. Who were the dominant players? Did the dukes create an unstoppable movement of centralization and rationalization when they tried to encapsulate the principalities in their structures of government and finance? Or did the subjects weigh the benefits of unity and institutional security and find them important enough to make financial and political sacrifices?

In terms of geography, this study focuses primarily on the Netherlands. It is impossible to give a precise indication of the perimeters of the Netherlands. We find only incidental sources in the late Middle Ages that seem to relate to this area, and even then, the references are not very clear. It was not until the middle of the sixteenth century—probably as a result of the incredibly successful edition of Guicciardini's *Descrittione di tutti i Paesi Bassi* (first edition Antwerp 1567)—that it became clear where the borders lay. In the fifteenth century the area that Guicciardini described as *Paesi Bassi* had no logical demarcation at all. It was intersected by the language border, by the borders of ecclesiastical territories, and above all, by numerous borders of principalities and lordships. At a higher level, the border between the Empire and France divided the region into two unequal parts. The largest part, to the east of the Scheldt, belonged to the Holy Roman Empire; a much smaller part—in essence Flanders and Artois—belonged to the Kingdom of France. I will take as my basis the area controlled by the house of Burgundy around the middle of the fifteenth century. This was a highly changeable and dynamic territory, being increased and reduced according to the tide of the dynasty's military, diplomatic, and political success. To keep the scope of this book manageable, I will limit myself to the political and institutional integration of ten former principalities in the Netherlands, with a clear emphasis on the so-called core provinces of Flanders, Artois, Brabant, Hainaut, Holland, and Zeeland (Map 1.1).

The period under discussion is demarcated by the government of the four great Burgundian dukes: Philip the Bold (1363–1404), John the Fearless (1404–19), Philip the Good (1419–67), and Charles the Bold (1467–77). The period started with the appointment of Philip the Bold as duke of Burgundy in 1363 and ended with the death of his great grandson Charles the Bold in 1477 and the incorporation of the Netherlands into the much greater Habsburg personal union. Given the importance of the reign of Philip the Good for the unification of the Netherlands—in the years from 1421 to 1433, Namur, Brabant, Hainaut, Holland, and Zeeland were added to the Burgundian union—I will focus particularly on the period of his reign.

1.2 STATE FORMATION IN THE BURGUNDIAN NETHERLANDS

When researching the rise of the modern state, most sociologists take the administrative centre as their starting point. The core of this approach lies in the definition of the modern state, as formulated by, for example, Max Weber: ‘a compulsory association which organizes domination. It has been successful in seeking to monopolize the legitimate use of physical force as a means of domination within a territory.’⁷ A comparable definition is proposed by Charles Tilly, who defines states as ‘Coercion-wielding organizations that... exercise clear priority in some respects over all other organizations within substantial territories’.⁸ From this perspective it seems obvious that the centre, where all state power is concentrated, is the logical starting point for a long historical development. The origin of the modern state can thus be sought in the high and late Middle Ages, when a slow process of centralization began. The reasoning is more or less as follows: initially a ruler faced a large number of competitors, with whom he competed to maximize the size of his territories. In a continuous struggle, a survival of the fittest, only those princes survived who were ambitious, powerful, and ruthless enough to eliminate their rivals. It therefore comes as no surprise that the waging of wars has a prominent place in this approach. The prince had to deal not only with external enemies but also with rivals within his own territory, such as the important nobles and the privileged towns. These groups had to be subjugated to the prince’s authority, and they had to provide him with the personal and—most important—financial means needed to be able to engage in the inevitable wars. Central administrative, legal, and financial institutions acted as instruments of the prince—later the government—to impose sovereignty on the competing legal powers within the prince’s territory. Seen in this light, it is hardly surprising that Charles Tilly characterized state formation as ‘organised crime’.⁹

The process of exploiting, pacifying, and subjugating a territory and its inhabitants, and enforcing a monopoly of violence by imposing taxes and military, legal,

⁷ Weber, ‘Politics as a vocation’, 82–3.

⁸ Tilly, *Coercion*, 1.

⁹ Tilly, ‘War making’.

and political institutionalization has thus become the dominant model within the discussion on state formation.¹⁰ A good example is the development of the Kingdom of France. Starting in the late tenth century, from the relatively small territory of Île de France, the kings of the Capetian dynasty successfully built an enormous kingdom, literally centred on Paris. This process took centuries and was typically punctuated by external threats, wars, indoctrination, dynastic continuity, and the imposition of a monopoly of violence. Counties and duchies were subjected to Paris and new central institutions—an audit office, a high court, a council of finances—were established to channel the financial resources to the centre, and to impose royal jurisdiction on the subjects.

There are at least three reservations that should be made in applying this model in a more general sense to state formation during the late Middle Ages. Firstly, the principle is strongly teleologically coloured, focusing on the creation of the European states of the twentieth and twenty-first century that exhibit a more or less similar organizational structure. This certainly did not apply to the polities of the late Middle Ages. When Wim Blockmans made a classification of the different types of governments in Europe, he identified no fewer than twelve different types, determined by their size and demographic and geographic status, from the small peasant communities in the Alps and in Friesland, via the autonomous towns in northern Italy and the medium-sized principalities of Central Europe, to the kingdoms and empires with holistic pretensions. Most of these no longer have any political significance today, even if they may live on in the names of provinces and regions. This enormous variation has no place in most models of state formation.¹¹

Reticence is also needed on a second point, that of the violent nature of state formation and the dominant role of warmongering. Indeed, the formation of a military power gave the princes and their administrations the means of expanding their territory and keeping their subjects in check. However, expansion and oppression are not the only character traits of state formation. Political scientist Stein Rokkan pointed out that—besides violence—economic, cultural, and legal factors also played a role.¹² Social scientist Michael Mann added ideological factors to this list.¹³

A third reservation relates to the emphasis on the princes or administrators as actors, who tried to impose the monopoly on violence on their subjects, who in turn were forced to endure it; at times, they may have complained, but in general, they were resigned. But is a state exclusively the child of princely aspirations for power? Was it just the government that, by using force, extended its power over society? In more recent literature (Ertman; Spruyt), it is understood that interdependence between prince or government and subjects was fundamental to state formation.¹⁴

¹⁰ See, for example: Tilly, *Coercion*, 75, 96–8; Elias, *Civilisatieproces*; Koenigsberger, 'Dominum'.

¹¹ John Watts too pointed out the importance of smaller 'polities' in the medieval context: Watts, *Making of polities*.

¹² Rokkan, 'Dimensions'.

¹³ Mann, *Sources*, 1–33.

¹⁴ Ertman, *Birth of the Leviathan*; Spruyt, *Sovereign state*, esp. 61–7.

On the one hand, the prince depended on the nobility and towns—especially the urban elites—for political and financial support. In exchange, these demanded the political stability, law, and order that were crucial to their commercial interests and to the prosperity of the country. In other words they had an interest in strengthening the prince's public role. This approach is for instance taken by the New Institutional Economics, a school that emphasizes the role of the state and its institutions in the public sphere, in safeguarding rights of property, and as the supplier of the indispensable lubricants of commercial economy: safety, peace, order, access to markets, stable currency, and a dependable legal system. Considered from this perspective, state formation is located expressly in the interaction between prince and subjects. This is the approach taken by Bernard Guenée in his masterly *L'Occident aux XIV^e et XV^e siècles* that first appeared in 1971 and was translated into English in 1985.¹⁵ Guenée doesn't study the states of the fourteenth and fifteenth centuries in a chronological sequence ending in modern times, but judges them on their own merits, examining not just political realities but also the emotions, imaginations, ideas, expectations, identities, rights, and obligations of both prince and subjects. Jean-Philippe Genet and Wim Blockmans pointed out the interdependence of princes and the towns, and the importance of urbanization for state formation: 'as long as princes and towns found a common rival in feudal nobility, they were allies to each other's advantage'.¹⁶ More recently, this concept was expanded in a volume, entitled *Empowering Interactions*.¹⁷ Perhaps this view is best summarized by John Watts: 'The stronger polities of the later fifteenth century were forged as much from below, or from within, as they were from above'.¹⁸

It is striking that the late medieval Netherlands played only a limited role in the theoretical discussion about state formation. In literature, the rise of Burgundian power is most often considered to be a disruption in the process of state formation by the Kingdom of France.¹⁹ The dukes of Burgundy are generally regarded as 'French' princes, which is, of course, quite correct. They were descended from the French royal house, and the duchy of Burgundy, their oldest possession, fell under the French crown. And possibly even more important: the outside world also regarded them as such. But still, if we take Burgundian polity—and certainly the part situated in the Netherlands—as a whole, this is a simplification of the reality: the emergence of the Burgundian union in itself can be considered in the light of late medieval state formation: the development of a new 'state' in the twilight zone between the Empire and the French Kingdom. The reconstruction of this process is the ambition of this book.

The literature on the Burgundian period is overwhelming. Fascinated or blinded by the Burgundian court spectacle that was unequalled in Europe, or by the striking personalities of the dukes, many authors have paid almost exclusive

¹⁵ The title of the English translation is: *States and rulers in later medieval Europe*.

¹⁶ Blockmans, 'Voracious states', 750. See the impressive series *The origin of the modern state in Europe*, edited by Blockmans and Genet.

¹⁷ Blockmans et al., *Empowering interactions*.

¹⁸ Watts, *Making of polities*, 378.

¹⁹ Recently, by Genet, 'Government of later medieval France and England', 6.

attention to the centre, to the dukes, at the Burgundian court, to the Order of the Golden Fleece and the Feast of the Pheasant. They largely took as their basis the historiographical sources that chroniclers like Georges Chastellain, Jean Molinet, and Olivier de la Marche wrote at the request of the Burgundian dukes. The dukes and the 'state' they created were interesting themes, particularly for Belgian historians. Flanders and Brabant were united by the dukes under a single princely house, and this union would form the basis, first of the Spanish and Austrian Netherlands, later of Belgium. In the nineteenth century the historiography focused primarily on emphasizing the unique character of Belgian society. And how could this better be characterized than by the persistent, proud struggle for freedom of the Belgian cities of Ghent and Liège against the might of Burgundy? Ultimately, this desire for freedom was smothered in blood by the dukes, despots who did not deny their French ancestry. The Ghent historian Paul Fredericq (1850–1920), for example, repeatedly emphasized the 'antinational' character of the corrupt Burgundian dukes, who had no interest in the inherent German love of freedom. The dukes of Burgundy definitely earn a place in the long line of foreign despots who had tried for centuries to enslave the Belgians.²⁰

In around 1890 the image of the Burgundian state presented in the historiography changed rapidly. The state of Belgium attempted to make a place for itself on the international stage, but at the same time the Belgian people felt increasingly threatened by the great international powers. Historians paid lip service to these efforts by emphasizing the interests of unity and condemning as narrow-minded and self-interested the urban and provincial particularism that they had so roundly acclaimed just a short time before. The dukes of Burgundy went from being the stooges to the heroes of Belgian unity, patriots who were able to bridge the diversity of the local communities. The work of Henri Pirenne (1863–1935) is both a textbook example of this development and its *pièce de résistance*. Duke Philip the Good was Pirenne's great hero: he guided the different principalities to a new State of the Netherlands, which gained him the name of *conditor Belgii*, a term borrowed from sixteenth-century statesmen.²¹ The Burgundian duke shaped what was later to become the Kingdom of Belgium. But, in Pirenne's opinion, Philip formalized something that had already been in existence for a long time. He stated somewhat curiously on the one hand that the unification of the Netherlands was a more or less natural development, while at the same time denouncing the particularism of the towns and principalities that delayed or even obstructed the process. Ultimately, in his view, the Netherlands did constitute a unity and it was Philip the Good who provided it with a political structure.

Pirenne's ideas are not set in stone. Paul Bonenfant, in his biography of Philip the Good (1943), expresses some doubt about the centralist assumptions of earlier

²⁰ Carlier, 'Contribution', 3–12; Stengers, 'Mythe'. A similar approach can be found in Luxemburg: Péporté et al., *Inventing*, 3–4.

²¹ Carlier, 'Contribution', 12–20. The term *Conditor Belgii* is usually attributed to Justus Lipsius or Pontus Heuterus but it seems that it was used by Viglius van Aytta as well: Jongkees, 'Génération', 145 n. 42.

historiography, without actually setting out his reasons.²² In more recent years, historians with a Flemish background in particular have addressed the problem of unification of the Netherlands and they have decidedly distanced themselves from Pirenne's ideas, from his monarchistic-centralistic point of departure. They have focused not on the prince and his environment, but on the subjects and have studied the consequences of Burgundian state formation for them. Their prime area of interest was urban history, and economic and social aspects in particular. In some ways this means that science is back to square one. In less flowery language than that of Paul Fredericq and his peers, the dukes of Burgundy and their paladins were again painted as cynical despots. The long tradition of revolts—particularly in Ghent and Bruges—makes it clear how deeply the resistance against Burgundian centralization was rooted.²³ In their recent publications Wim Blockmans and Walter Prevenier again looked for a balance between the prince's interests and those cherished by the urban and noble elites, although they too mainly point to the centralizing initiatives of the princely administration.²⁴ However, one can ask how representative Flanders and the rebelling cities of Ghent and Bruges were of the other provinces and towns in the Burgundian union. Flanders was by far the most urbanized province of the Netherlands and the insurgency was largely confined to the two cities mentioned; there was no comparable tradition of revolt in the towns of Brabant, Hainaut, Holland, or Zeeland. Possibly more importantly, Flanders lay in the Kingdom of France, whereas most other provinces of the Netherlands lay in the Empire.²⁵

In the meantime, the theme of Burgundian state formation aroused less interest among Dutch historians. Their agenda was dominated by an obsession with the roots of the Republic, and the Burgundian union was mainly considered in the light of this.²⁶ The growth of Burgundian power was regarded as a threat to provincial or local autonomy and as a political phase that would inevitably lead to the Revolt, so glorified with teleological and nationalistic zeal. The view held by Leiden historian Robert Fruin (1823–99) is typical; he indicated that even before the formation of the Republic, there was already a profound difference between the northern and southern Netherlands, including in terms of their national character and their history. This vision is revisited in the work of Jonathan Israel, who talks of a 'profound rift which had already long existed' between North and South.

The institutions that came into being in the Burgundian lands have fascinated researchers since the nineteenth century. This was clearly a dynasty at work that liked order, regularity, and methodical systems. The council chambers were seen as the forefathers of the institutions that dominated the legal field right up until the French Revolution, institutions that were still recognizable in the nineteenth and

²² Bonenfant, *Philippe le Bon*, 122–7; 'Traits'.

²³ See, for example, Boone, *Gent*, 240.

²⁴ Blockmans, Prevenier, *Bourgondiërs*; Blockmans, *Metropolen*.

²⁵ Based on the Burgundian possessions in 1465, only 40 per cent of the Netherlands belonged to the Kingdom of France, and roughly half the number of inhabitants. If we include the duchies of Burgundy and Franche-Comté, the figures make up around 50 per cent of the territories and 53 per cent of the number of inhabitants (see Table 1.1).

²⁶ Fruin, *Tien jaren*, 440.

twentieth centuries. For the audit offices there was and is a much more direct link. Even today the Belgian *Cour des Comptes* and the Dutch *Algemene Rekenkamer* point proudly to their predecessors, the audit offices that were set up in 1386 and in 1447 on the orders of the Burgundian dukes in Lille and The Hague. This explains why studies on institutionalization occupy an important place in the sizeable bibliography about the Burgundian period. While research by Dutch historians often emphasized the autonomous development of the Council of Holland, Belgian historians placed greater emphasis on the fact that the Councils of Flanders, Brabant, and Namur were princely creations that served only to enslave the inhabitants of the Low Countries and to subject them to French mores in favour of royal power.²⁷ Frequent reference is made in this context to the events of 1477, when the whole Burgundian political system was faltering and one of the main demands of the subjects was that the central Parliament of Mechelen, set up a few years previously by Charles the Bold as high court of law, should be dismantled.

Much of the research stresses that the dukes and the Burgundian administration were the most important actors in the process of unification and institutionalization, which brings us back to the starting point of this study. Undoubtedly they played a major role in the process that led to a unification of the Netherlands, but was it a dominant role? Is it possible to fully understand the cohesion of a union if only the centre is considered, or only one of the parts? If the new institutions were indeed imposed from the top down, if they meant a cynical breach of the rights and interests of the subjects, how can it be that they enjoyed the approval of numerous citizens, who apparently sought guarantees for their legal security? Moreover, how can we explain that even after the disintegration of the Burgundian union these institutions continued in completely different political constellations: in the duchy of Burgundy, situated within the Kingdom of France, with a centralist system of administration, in the isolated, relatively enlightened Spanish enclave of the southern Netherlands and in the Dutch Republic that was dominated by the States?

The union of the Burgundian lands might have existed in the dreams of Philip the Good and Charles the Bold and of the nineteenth-century historians, but in reality things were different. Much more fitting than the image of a centralized state is that of a *composite monarchy*, a term used by British scholar John Elliott in 1992. Composite monarchies are personal unions where the different principalities had their own laws and customs, in some cases even their own constitution. It is true that they had one and the same prince, but he treated them as independent administrative entities; they existed alongside all kinds of other independent polities. The concept of a composite monarchy has mostly been applied to early modern Europe. It is also a good characterization of the late medieval Burgundian union. The sequence of titles of the dukes of Burgundy alone illustrates this: Philip the Good held fifteen titles at the end of his life, as Duke of Burgundy, Lower Lorraine, Brabant, Limburg, etc. The characterization of the Burgundian union as a composite monarchy has consequences for research. Elliot commented: 'If

²⁷ Jansma, *Raad*; Douxchamps-Lefèvre, *Procureurs généraux*, 1; Lambrecht, 'Centralisatie', 100.

sixteenth-century Europe was a Europe of composite states, coexisting with a myriad of smaller territorial and jurisdictional units... its history needs to be assessed from this standpoint rather than from that of the society of unitary nation states that it was later to become'.²⁸ He is right about this, and the same applies to the Burgundian union. It is impossible to understand its character by looking only at the centre, or at one of the individual parts, like Flanders, for instance, just as it is impossible to grasp the character of the European Union by looking only at Brussels or Portugal or Denmark.

Even at first sight it is clear that there was a high level of diversity among the principalities that belonged to the Burgundian union. The Netherlands is regarded as one of the most urbanized areas in late medieval Europe, but the population was distributed very unevenly. The largest concentration was in what has been termed the 'core provinces': Flanders, Artois, Brabant, Hainaut, and Holland-Zeeland (Table 1.1).²⁹ In addition, there was a clear difference in political relations. The Flemish metropolises of Ghent and Bruges not only had many more residents than the towns of the other provinces did, they also adopted an independent stance much more frequently. In the other provinces, the towns generally operated as networks.³⁰ In the agrarian duchies of Limburg and Luxemburg, the nobility played a decisive role. Moreover, there was a big difference in provincial usages and principles. The

Table 1.1. Estimate of the area and the number of inhabitants of the Burgundian provinces in the fifteenth century³¹

Province	Area (km ²)	No. of inhabitants	Inhabitants per km ²
Flanders	10,230	705,000	69
Brabant	9,800	399,000	41
Holland	4,030	254,000	63
Boulogne	912	231,500	21.2
Picardy	10,000		
Hainaut	7,214	202,000	28
Artois	5,176	176,000	34
Guelders	5,612	135,000	24
Luxemburg	11,121	68,000	6.1
Namur	1,560	18,000	21.2
Limburg	785	15,500	9.7
<i>Total</i>	<i>67,540</i>	<i>2,289,000</i>	<i>33.9</i>
<i>Netherlands</i>			
Burgundy	25,714	500,000	19.5
Franche-Comté	16,188	242,000	15
<i>Total southern provinces</i>	<i>41,902</i>	<i>742,000</i>	<i>17.7</i>
<i>Total Burgundian lands</i>	<i>109,442</i>	<i>3,031,000</i>	<i>27.7</i>

²⁸ Elliott, 'Europe', 51; Koenigsberger, *Monarchies*, 202; 'Dominum', 12; compare: Blockmans, Prevenier, *Bourgondiërs*, 39–43.

²⁹ Blockmans, *Metropolen*, 17; Stein, 'Urban network'.

³⁰ Blockmans, 'Voracious states', *passim*.

³¹ Stein, 'State's officers', 190–1 and the literature mentioned therein, with the addition of Van Schaik, *Belasting*, 250–69.

position of the prince in Flanders, for example, with its tradition of urban revolts and friction between the towns, cannot be compared with his position in Brabant, where a consensus model predominated, or in Holland, where there were centuries-old conflicts between different parties and factions.

This study examines the formation of the Burgundian union as a composite monarchy. The literature both on the dukes of Burgundy, as well as on the individual principalities, is overwhelming, and this has compelled me to make certain choices. One is that I will focus on the core provinces and will pay less attention to the more peripheral principalities, like Luxemburg and Guelders. A second choice is that I approach the positioning of the 'subjects' from the standpoint of the third order of the representative institutions. The internal urban tensions, riots, revolts, and factional struggles, no matter how relevant they may at times have been, are largely disregarded.

To arrive at a synthesis of how the union came into being, it is necessary to construct the edifice from the ground up; this is what the first part of this book is about (Chapters 2, 3, and 4). First, the substantive monarchy is addressed: how did the Burgundian dynasty acquire all the legal titles of all the principalities, starting with the acquisition of the duchy of Burgundy in 1363 and ending with the incorporation of Guelders in 1473? The representative institutions, the provincial Members, States, and Diets, often regarded as the major opponents of the dukes, were the main guardians of provincial individuality, as is reflected in the adjective *composite*. These are the subject of Chapter 3: how were they composed, how did they function, and what balance of power were they seeking? I then focus on the political history, not on the developments of the centre, around the dynasty, but in the individual provinces. What were the conditions in the decades before the takeover of power by Burgundy?

The extinction of the provincial dynasties was in many cases—although not all—the direct impetus for the assumption of power by the Burgundian dynasty. This simple fact had major consequences. It meant that the princely courts disappeared, that had fulfilled an important role in the administration, in the justice system, and the financial organization of the duchies and counties. A solution had to be found for this. The second part of this book is about the way in which the dukes of Burgundy, always in dialogue with their subjects, organized the institutions within their principalities, and how they endeavoured to create an administrative, juridical, and, above all, financial hierarchy.

2

The Titles

2.1 INTRODUCTION

Early in the month of July 1468, a large crowd gathered in the Flemish city of Bruges. Hundreds of English and Burgundian courtiers were present, along with ambassadors from all corners of the Christian world and some 20,000 observers. The immediate cause of the commotion was the marriage between Charles the Bold, one of the most powerful and wealthy dukes in the West, and Margaret, daughter of the Duke of York, niece of the King of England. No expense or effort were spared in celebrating the union in true Burgundian style. All the streets were richly decorated; all the different nations in Bruges paraded, dressed in their finery, through the streets, to musical accompaniment, while maidens strew wheat, corn, and rose leaves all around. In the midst of this splendour, one thing stood out: a gilded panel, affixed to the southern gate of the ducal palace, flanked to the left and right by statues from which red and white wine flowed the whole day, much to the pleasure of all those present. It depicted the wealth of Charles, ruler over many lands. His personal coat of arms was encircled by the coats of arms of the principalities that formed part of the Burgundian composite monarchy. Anthonis de Roovere, a Bruges rhetorician, described it in these terms:

Above the South Gate of Charles' court a richly decorated, gilded tabernacle had been made, to hold the beautiful coat of arms of the said Charles, completely gilded, the crest of Burgundy decorated with the lily. This coat of arms was held aloft by two lions rampant. Above the coat of arms were the coats of arms of the five duchies over which he ruled, and flanking these were the coats of arms of the other lands of which he is the lord.¹

Several years later, an unknown master, who takes refuge under the initials W.A., made a copper engraving of the panel (Figure 2.1).

The central ducal coat of arms can be interpreted as a condensed account of the political successes of the Burgundian dynasty. Three generations earlier, under Philip the Bold, it had comprised the quartered coat of arms of France and Burgundy that in 1468 still formed its basis. It also appears on his seal, although here the coats of arms of Flanders, Artois, and Franche-Comté are depicted floating behind the duke, which is right and proper as Philip governed these lands on behalf of his wife (Figure 2.2). At the time of John the Fearless, the coat of arms of

¹ Brill, 'Huwelijksplechtigheden', 31–2. Compare the description by De la Marche, *Mémoires* III, 103.

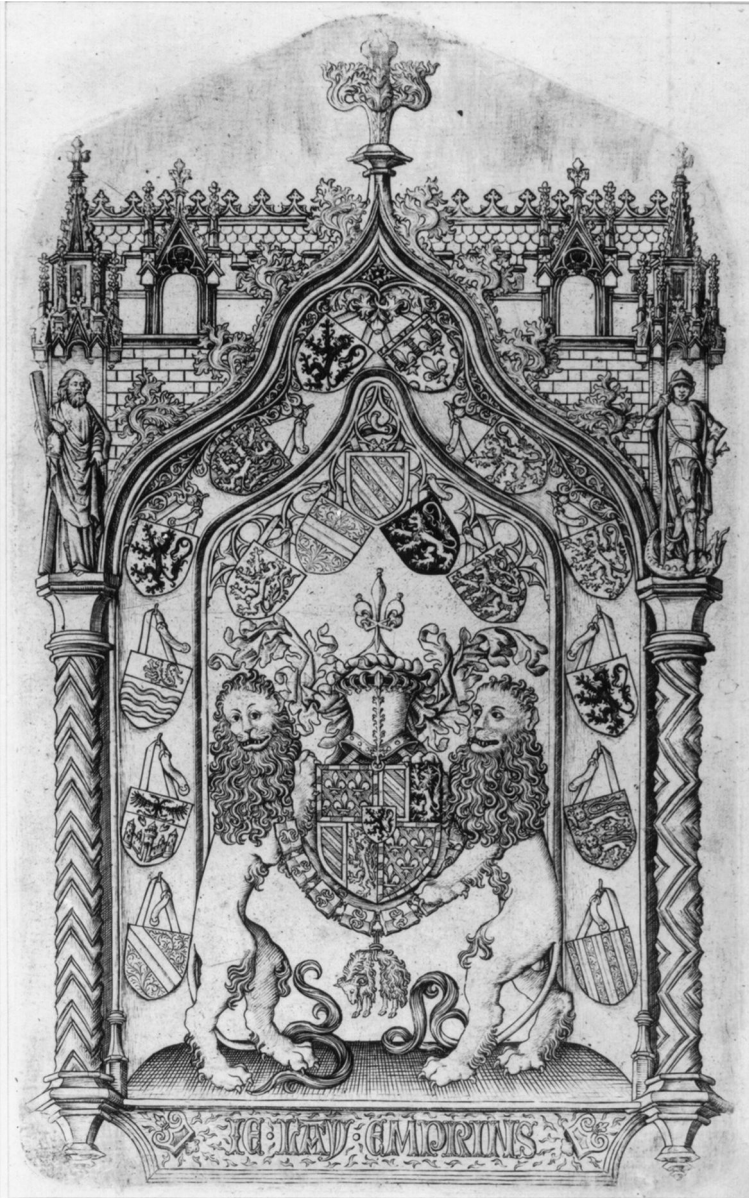


Figure 2.1. Panel by master WA (after 1472), showing the coats of arms of Charles the Bold, surrounded by those of his duchies and counties. Brussels Royal Library S II 62992.

Flanders was given a central position in the ducal coat of arms, as can be seen on the panel by master W.A. In 1430 the States of Brabant demanded that Philip the Bold should bear the coats of arms of the duchies of Lower Lorraine, Brabant, and Limburg and of the margraviate of Antwerp. In the final event, the change was



Figure 2.2. Seal of Philip the Bold (1387). O. Vredius, *Sigilla comitum Flandriae* (Bruges 1639) 67. Leiden, University Library 416 B 16

limited to the addition of the lions of Brabant and Limburg. This was still the situation in 1468 at the time of the marriage ceremony of Charles the Bold and Margaret of York, because the annexation of Hainaut, Holland, Zeeland, and Luxemburg did not result in any further changes.²

The panel also shows the political constellation of the Burgundian union in the representation of the seventeen provincial coats of arms of the duchies of Burgundy, Lower Lorraine, Brabant, Limburg, and Luxemburg, of the counties of Flanders, Artois, Franche-Comté, Hainaut, Holland, Zeeland, Namur, and Charolais, the margraviate of Antwerp, and the lordships of Friesland, Salins, and Mechelen.³ Of course, the panel concealed a much more complex reality. The provincial coats of arms to some extent represented a dream scenario and encompassed historical relicts, whose only purpose was to express princely ambitions or to legitimize the

² Laurent, *Sceaux* I, 2, 575–80.

³ Compare the eighteen feudal titles of Charles the Bold, recorded in the ordinance of Thionville on 8 December 1473: Van Rompaey, *Grote Raad*, 507–9.

existing situation. Since the thirteenth century, the ducal title of Lower Lorraine, for example, had not been a political reality; the same applied to the title of Friesland. The margraviate of Antwerp and the lordship of Salins were no longer independent entities; one was incorporated into Brabant and the other into Franche-Comté. 'Count of Charolais' was the honorary title borne by the crown prince, and it was uncommon for this to be connected with ducal titles. Nonetheless, most coats of arms corresponded clearly with some kind of territorial reality. In 1469 Charles was indeed Duke of Burgundy, Brabant, Limburg, and Luxemburg; Count of Flanders, Artois, Franche-Comté, Hainaut, Holland, Zeeland, and Namur, and Lord of Mechelen. Even so, the list is far from complete. The Burgundian dynasty ruled over numerous principalities that were not incorporated into the panel. The county of Boulogne, for example, is missing, as are Picardy and the Somme towns. The prince-bishoprics of Utrecht and Liege, where the Burgundian dynasty had no formal rights yet a great deal of power, were also denied a place.

In spite of all its shortcomings, the gilded panel of the coats of arms gave a good impression of the character of the Burgundian inheritance as a composite monarchy: a union, where the dynasty constituted the principal binding element between principalities that had no other administrative, legal, financial, or heraldic traditions in common.⁴ Their unification under the house of Burgundy was the consequence of a dynamic process that started in 1363 with the acquisition of the duchy of Burgundy. The principalities mentioned came into the possession of the Burgundian house at many different points in time.

At the time of his marriage, Charles the Bold controlled a territory exceeding 100,000 km². The foundation for this territory had been laid more than a century previously, on 19 September 1356 to be precise, near to Poitiers on a piece of land no more than a few square kilometres in area, many miles from the Burgundian lands. The Battle of Poitiers, one of the greatest battlefields in the Hundred Years' War, led to the fateful defeat of the French armies. Moreover, the French King John the Good and his fourteen-year-old son Philip were taken prisoner.⁵ Could it have been on this occasion that Philip (later Philip the Bold) became the apple of his father's eye? In any case, King John referred explicitly to his heroic conduct when he awarded him the duchy of Burgundy in 1363: 'Our fourth son Philip, who voluntarily risked his life, and stayed with us fearlessly at Poitiers, where he was wounded and, together with us, was taken prisoner by our enemies'.⁶ At that time there were no indications that the principalities of the Netherlands would become a union, and certainly not that Philip the Bold or his descendants would play a major role in this development. The area was divided among no fewer than seven dynasties. Relations between them were tense. Shortly before, in December 1355, Duke John III of Brabant died and his death prompted Flanders and

⁴ Elliott, 'Europe', compare: Beck, *Sachwörterbuch*, 718, 784. Obviously, the Burgundian union is not the oldest example of a personal union in the Netherlands. Hainaut, Holland, and Zeeland were linked from as early as 1299; Brabant and Limburg from 1288, and from the eleventh century, there are countless other examples in the Netherlands. See Uyttebrouck, 'Phénomènes', *passim*.

⁵ Hewitt, *Black prince's expedition*, 113–14 and *passim*.

⁶ Plancher, *Histoire II*, cclxxviii–cclxxx, no. CCCXV.

Brabant, later to be the core districts of the Burgundian union, to embark on a fierce war of succession. In the meantime, the count of Holland and Zeeland tried to take advantage of the opportunity by forming a secret union with the Flemish count, but at the same time he was now hopelessly involved in a dispute with his own mother about the ownership of Hainaut.

The current state of our knowledge tells us that the formation of the union was largely thanks to the efforts of two princes, grandfather and grandson Philip the Bold (reigned 1363–1404) and Philip the Good (1419–67). The first managed to build an extensive union from the core of the duchy of Burgundy, predominantly within the Kingdom of France. At the same time, he positioned his pawns ready for the second part of the game of chess, completed by his grandson: the further expansion of Burgundian power within the Empire. Paradoxically, the core of this later expansion was no longer the duchy of Burgundy, but rather the county of Flanders. In this chapter I will describe the dynastic, treaty-based, and hereditary lines of the personal union. The chapter starts with the acquisition of Burgundy, far away in France, but in essence it is about the unification of the Netherlands: how did Philip the Bold, John the Fearless, Philip the Good, and Charles the Bold acquire in succession, the titles of Flanders and Artois; Hainaut, Holland, and Zeeland; Brabant and Limburg; Luxemburg and Guelders; and Zutphen?

2.2 THE BORDER AREAS OF THE EMPIRE AND FRANCE

One of the most important political dividing lines in the Western world was the border between the Empire and the Kingdom of France. Since Lower Lorraine was added to the Empire in 925, the Scheldt was the border. Upstream, at around longitude 50, the line then curved to the east, where it reached the Meuse, and followed the river upstream. Further to the south, in the area of Burgundy, the Saône marked the border, and even further to the south, the Rhône. The frontier divided the Netherlands into two unequal parts. Brabant, Limburg, Luxemburg, Guelders, Hainaut, Holland, Zeeland, and Namur belonged to the Empire, and the major part of Flanders and Artois belonged to France. The duchy of Burgundy, the home of the dynasty, lay within the borders of France, but Franche-Comté (the free county of Burgundy) lay within the borders of the Empire.⁷

In practice, this meant that parts of the Burgundian lands were held in fief from the emperor, and part from the king of France. During the first phase of the Burgundian expansion, it was crucial that a good relationship was maintained with the French monarchy. Philip the Bold was the apple of his father's eye, an ally of his brother King Charles V and guardian of his nephew King Charles VI, all favourable positions that enabled him to build up and consolidate his position. Dynastic catastrophe subsequently led to a power vacuum in which Philip the Bold and John the Fearless were able to further their ambitions. After the death of his brother Charles V in 1380, Philip the Bold succeeded in having himself

⁷ Jäschke, 'Reichsgrenzen', 117, 135–50; Mieck, 'Deutschlands Westgrenze', 203–12.

appointed as guardian to his twelve-year-old nephew Charles VI. When Charles came of age, he initially withdrew from Burgundian influence, but a few years later he was affected by increasingly serious periods of insanity that would weigh heavily on French politics for a period of thirty years. The power vacuum was filled by two parties, initially led by Louis of Orleans and Philip the Bold, respectively, later by Charles of Orleans and John the Fearless. In general, the Burgundian party had the upper hand, and Philip and John were able to determine the royal policies. The weakness of the French crown was further strengthened by the gruelling Hundred Years' War, during which large parts of north and western France fell into English hands.

The French connection did have considerable advantages for the Burgundian dukes: French armies marched under their flag and they received large sums from the French treasury that they were able to use to pay for support or to subdue their opponents.⁸ The murder of John the Fearless in 1419, partly attributable to the French crown prince, completely changed the status quo. Philip the Good no longer had any power base at the French court—nor did he wish to have. The murder of John the Fearless signified a change in the feudal relationship between the Burgundian dukes and the monarchy (see Figure 2.3 for a genealogical table). In the second half of the fourteenth century, the close relationship with the house of Burgundy and the dominant position of the dukes at the royal court meant that the feudal dependence on the French crown had presented no problem, but obviously Philip the Good now refused to recognize the French king any longer as a feudal lord. The war that inevitably followed the murder was brought to a close with the Treaty of Arras (1435), under the terms of which Philip the Good did not owe any homage to the king of France.⁹ Even if this only applied to Philip himself, the continuity, the logic of the homage to the king of France, was broken. This was further reinforced because Philip's son Charles the Bold refused to accept the French king as his suzerain. The feudal dependence of Flanders and Artois on the French monarch came to a definite end with the treaties of Madrid (1526) and Cambrai (1529).¹⁰

The close relationship of the house of Burgundy with the Crown was an advantage in the French principalities, but in the Empire it was a disadvantage. There the dukes were seen, rightly, as French princes and their appearance in the border region was viewed with suspicion. Expansion took place against the backdrop of rapidly deteriorating relations with the emperors. Initially Philip the Bold was able to exploit the existing rivalries in the Empire. In 1362 Emperor Charles IV readily enfeoffed him with Franche-Comté, which by the way did not make his succession any less disputed; more will be said about this later. In the late fourteenth century, people in the Empire became increasingly aware of the growing French pressure on the border, and in 1400, the threatened loss of imperial territories was the impetus for the electors to remove the King of the Romans Wenceslas, untranslatably referred to as 'unnutzer, träger, unachtsamer Entgliederer und unwürdiger Inhaber

⁸ Van Nieuwenhuysen, *Finances... Economie*, 373–83; Pocquet du Haut-Jussé, 'Dons'.

⁹ Cosneau, *Grands traités*, 143.

¹⁰ Pirenne, 'Formation', 493–4.

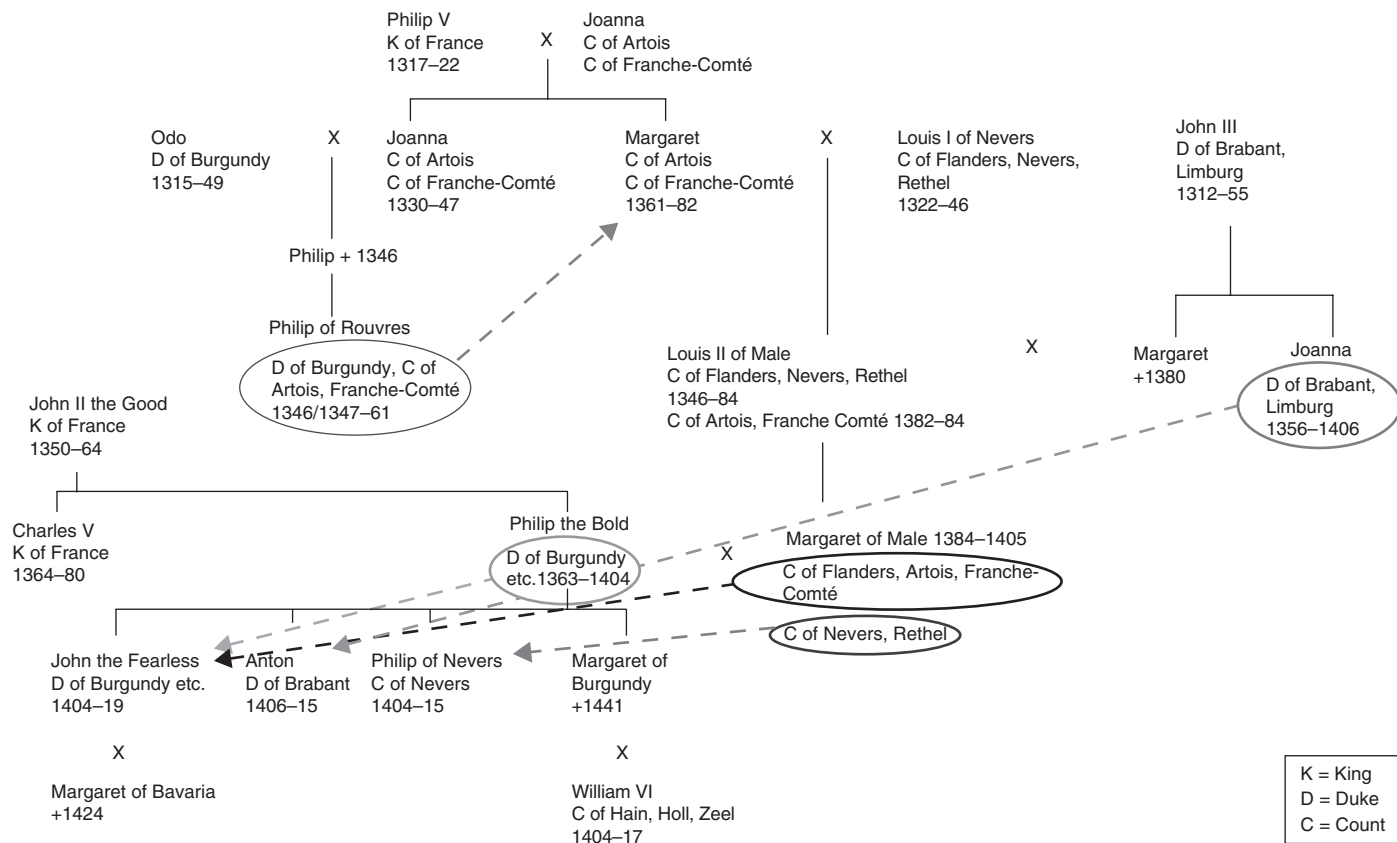


Figure 2.3. Simplified genealogical table of the dukes of Burgundy, counts of Flanders, Artois, Franche-Comté, Nevers, and Rethel (before ca. 1400)

des Reiches'. In response to this, King Rupert (1400–10) and especially King Sigismund (1410–37) objected to the Burgundian expansion. A typical expression of their objection was the latter's outburst against a group of Brabant envoys who tried to convince him of the Burgundian claim to the throne: 'Vultis ita esse Francigene?'—So you want to be French?¹¹ There was no question of their recognizing the Burgundian position in the principalities.¹² In 1473, Charles the Bold was invested with the lands of Guelders and Zutphen, but not with the other principalities. It was not until 17 April 1478 that the Emperor's son Maximilian, immediately after his marriage to Mary of Burgundy, was invested with all the principalities in the Netherlands that belonged to the Empire. By then, the logic of feudal dependence was undermined, just as was the case in the French parts of the Burgundian union. With the signing of the Treaty of Augsburg (1548), the Netherlands became more or less independent from the Empire.¹³

The emperors were able to substantiate their refusal to invest the Burgundian dukes by referring to the rules of feudal law. This chapter will make clear how expansion within the Empire was not based on inheritance from father to son, but partly on inheritance via the female line, partly on collateral succession, and primarily on the stipulations of various treaties. According to imperial rules, a principality reverted to the Empire in the absence of a male heir (the so-called *Heimfallsrecht*), and the Emperor could appoint a successor to the deceased prince. In other words, the legitimacy of female inheritance and collateral succession—lateral relatives—was dependent on the Emperor's agreement. The validity of decisions arising from treaties, in which counts and dukes granted their principalities to others in return for military, financial, or moral support, were dependent on the approval of the Emperor as well.¹⁴ In the western regions of the Empire, and certainly in the Netherlands, this clashed with regional practice, that regarded cognatic and collateral succession as legitimate.¹⁵ There was also another factor at play in the rejection of Burgundian expansion by the Empire. Philip had his sights set ever more openly on the throne of the duchies of Brabant and Limburg, to which the imperial house of Luxemburg-Bohemia also had claims.

2.3 THE REIGN OF PHILIP THE BOLD

2.3.1 The Duchy of Burgundy and the Flemish Inheritance

The roots of what constituted the 'Burgundian union' can be traced back to the middle of the fourteenth century. The duchy of Burgundy was the dynasty's oldest

¹¹ De Dynter, *Chronica* III, 332.

¹² Krieger, *Lehnshoheit*; Moraw, *Propyläen Geschichte Deutschlands* III, 238–9; Linssen, 'Keizer Sigismund'. Of course, Franche-Comté was also a fief of the Empire but this county had clearly been under French influence since the start of the fourteenth century and in the period from 1330 to 1361 was already linked in a personal union with the duchy of Burgundy. In any event, the emperors did not make an issue of this. Gresser, 'Franche-Comté', 163–8.

¹³ Borchgrave, *Histoire*, 89; Feenstra, 'Quelle époque', 42–8; Nève, *Rijkskamergerecht*, 121–7.

¹⁴ Goetz, *Leihzwang*, 20–49, 57–60; Krieger, *Lehnshoheit*, 331–50, 356–9.

¹⁵ See, for example, Turba, *Geschichte*, 375; Monier, *Institutions centrales*, 39.

possession, Philip the Bold having been invested with it in 1363 by his father, King John the Good of France. Burgundy was always mentioned in first place in the titles carried by the duke, and it defined the identity of the dynasty. Gradually, the inhabitants of the Netherlands also began to refer to themselves as 'Burgundians'.¹⁶

In the thirteenth and fourteenth centuries, it was not uncommon for princes to grant their sons a part of the crown domain as an appanage, so that they could provide an income for themselves.¹⁷ In 1360, Philip the Bold received the small duchy of Touraine in appanage, but a few years later, he managed to exchange this for the much bigger and more prestigious duchy of Burgundy. This exchange was prompted by the fact that the sixteen-year-old Philip of Rouvres had died of the plague on 21 November 1361. He was the last descendent of a Capetian dynasty that had ruled over the duchy of Burgundy for three centuries. Burgundy had been at least nominally under the authority of Philip of Rouvres for twelve years, although in, the duke, being a minor, was unable to rule independently, and the government had been in the hands of his guardian, King John the Good. Immediately after Philip's death, the king took possession of the duchy and added it to the royal domains. A stadtholder for the duchy was appointed on behalf of the king to ensure that peace and order were maintained. This proved to be an unfortunate move. Large crowds of looting and roving mercenaries, the so-called *grandes compagnies*, swarmed across the land, and the stadtholder was unable to quell the disturbances. This contributed to growing unrest among the population of the duchy. On 6 September 1363 King John decided to appoint his son Philip the Bold Duke of Burgundy as heir to Philip of Rouvres. This was no longer an appanage, an arrangement whereby the principality continued to be part of the royal domain, but in this case, Philip the Bold was enfeoffed with one of the largest French principalities, which meant the alienation of part of the royal domain. Along with the duchy, he received the status of *pair du royaume*, making him one of the absolute feudal elite of the kingdom, a status that meant he was required to be present in Paris almost continuously. It is questionable whether the assignment of the duchy to Philip the Bold was completely in line with the prevailing laws of succession. In any event, Charles the Bad, King of Navarre, also had a well-founded claim to the succession.¹⁸

Apart from the question of whether his position as duke of Burgundy was legitimate, the duchy was a good starting point for the ambitious Philip the Bold to expand his power further.¹⁹ In 1390 he bought the county of Charolais, to the south-west of the duchy of Burgundy, for 60,000 francs.²⁰ The title of 'count of Charolais' was later to become the formal title of the crown prince of Burgundy. Philip's real coup came not when he followed in the footsteps of Philip of Rouvres as duke of Burgundy, but when he married Philip's widow, Margaret. When Philip

¹⁶ Duke, 'Elusive Netherlands', 14.

¹⁷ Vaughan, *Philip the Bold*, 1–4; Guillot et al., *Pouvoirs*, 130–5.

¹⁸ Champeaux, 'Succession'. Charles was the great-grandson of Robert of Burgundy (+1306) through two female intermediaries; Philip of Rouvres was also a great-grandson of Robert, but in his case through two male intermediaries: Jarry, *Formation*, diagram VIII.

¹⁹ Schnerb, *État*, 31–43.

²⁰ Gachard, *Rapport*, 63; Vaughan, *Philip the Bold*, 93.

of Rouvres died in 1361, his wife was just twelve years old. She was the daughter of the Flemish Count Louis of Male, and was destined to inherit five counties: Flanders, Artois, Franche-Comté, Nevers, and Rethel. On entering the marriage market again, she was immediately a highly desirable prize. The prime candidate as her husband was Edmund Langley, younger son of the English King Edward III. Margaret's father was firmly in favour of this marriage given the economic and political potential of a close bond with England. Negotiations for the union proceeded very successfully and the marriage contract was concluded and sealed in 1364. The only thing then missing was the papal dispensation that was necessary because of the close relationship between the bride and bridegroom. This alliance through marriage represented a considerable threat to the French monarchy however. Against the background of the Hundred Years' War, the possibility that at some point in time Flanders and Artois would fall into English hands was a worrying prospect. Pope Urban V, a Frenchman by birth and in heart and soul, refused to grant the dispensation. The French King proposed his brother Philip as an alternative candidate to marry Margaret. Initially, Count Louis refused to entertain this proposal, but he was persuaded by his mother, Margaret of Artois, to change his mind. In 1368 at a great tournament in Bruges, attended by many noblemen from throughout the Western world, she berated her son in the midst of the public for his ill will:

And then the lady threw off her cloak, opened the bodice of her dress, took her right breast in her hand and said to her son: 'I, Countess of Artois, pray and command you to follow the will of the king, my lord and yours. Look at this breast with which I fed you. I promise God that if you do not do what the king and I ask, I will straight away cut off this breast and, to show my contempt for you, I will throw it to the dogs.'²¹

As one might expect, Louis' resistance crumbled, but not before he had demanded 200,000 pounds and the prosperous county of Walloon Flanders, with the towns of Lille, Douai, and Orchies from King Charles. Once his demands had been met, nothing more stood in the way of the marriage. The essential treaties were concluded on 12 April 1369, and on 19 June, Philip the Bold and Margaret of Male were married in Ghent. The 200,000 pounds represented something of a prefiguration of the long series of gifts that the French monarchy would eventually present to Philip the Bold and John the Fearless. The reunification with Lille, Douai, and Orchies, that had been separated from Flanders since 1305, may well be even more important. The territory had some 75,000 inhabitants and formed a wedge between Flanders, Artois, and Hainaut. Lille, the largest town, would later become one of the main centres of administration of the Burgundian government.

²¹ 'Et dont getta la dame jus son mantel et ouvry sa robe par-devant et prinst sa destre memelle en sa main, et puis dist à son fils: "je comme contesse d'Artois, vous prie et commande que vous fachies le voulenté du roy qui est vos sires et li miens, et vey me mamelle dont je vous alaitay... et promès à Dieu que, se vous ne faites le voulenté du roy et la mienne, que tantost je copperay ou despit de vous et le jetteray aux chiens.'" Kervyn de Lettenhove, *Istore* II 108–9. This is a part of the anonymous *Chronique normande abrégée*, written between 1376 and 1390. See <<http://www.narrative-sources.be>> s. v. *Chronique normande abrégée*.

The marriage eventually also brought Franche-Comté, Artois, and the personal union of Flanders-Nevers-Rethel under the influence of Burgundy.

Franche-Comté, frequently referred to as the Free County of Burgundy, was situated on the eastern side of the duchy of the same name. The region also included the lordship and title of Salins, included in the ducal titles. Franche-Comté and the duchy of Burgundy may have been similar in area, but in other ways they were very different. Given the significance of the early medieval Kingdom of Burgundy, the duchy enjoyed a high status in the French feudal world. The Duke of Burgundy was the first *pair de France*, and he had a leading position in the royal council. Franche-Comté was on the other side of the border and played only a modest part in the politics of the Empire. Earlier, from 1330 to 1361, both principalities had been united under Odo and Philip of Rouvres. Immediately after the latter's death, however, Philip the Bold's attention was drawn avariciously to the county, and in 1362, he was invested with it by Emperor Charles IV. This caused a conflict with Margaret of Artois, the mother of Louis of Male. She believed that she, as the aunt of the deceased Philip of Rouvres, had a stronger claim to the succession. The matter was resolved in the first instance because Philip, on acquiring the duchy of Burgundy, transferred his claim to Franche-Comté to the French King, who then bestowed it on Margaret of Artois—the mother of Louis. However, as we learn from later history, this was nothing more than a delaying tactic.²²

The county of Artois, to the south-west of Flanders in the fertile plains of northern France, underwent a similar development. Together with Flanders, it was among the most urbanized regions of Western Europe, with large towns such as Arras, Saint-Omer, and the cathedral city of Thérouanne. Until the final quarter of the twelfth century, it belonged to the county of Flanders, but in 1180, it was given by Count Philip I of Alsace to his niece when she married the French King Philip II Augustus. Artois thus devolved to the French crown, after which the county was often used by the kings as an appanage. From 1330 it fell into the hands of Odo, Duke of Burgundy, and his grandson Philip of Rouvres. After his death it reverted to the French monarchy, and was again given in appanage to Margaret of Artois. When Margaret died in 1382, both Franche-Comté and Artois devolved to her son Louis II of Male and subsequently to his daughter Margaret.

The country of Flanders was without doubt the most significant part of the dowry of Margaret of Male. The count of Flanders was one of the *pairs de France*, and he too held his county in fief from the French king. Formally, though, areas in the eastern and northern parts of the county belonged to the Empire. Flanders was by far the most urbanized principality in north-western Europe. As a result, not only was it very prosperous, it was also an important source of income for the counts. In 1395–6 it contributed one third to two fifths of the ducal revenues, and in 1445, when the possessions of the house of Burgundy were much more extensive, the Flemish domains provided almost one third of the total domain income of the dukes, almost as much as Hainaut, Holland, Zeeland, and Brabant combined.

²² Quicke, *Pay-Bas*, 75–85; Schoos, *Machtkampf*, 24–9; Gresser, *Franche-Comté*, 159–76.

An unpleasant side effect of the intensive urbanization was the fact that the county became a political powder keg. Time and again interest groups, factions, whole towns, and regions rose up against the authority of the counts. The same happened in the period from 1379 to 1385, when a disagreement between Bruges and Ghent resulted in the Ghent War, a dispute between Louis of Male and the city of Ghent that had consequences for the whole county. Obviously, Philip the Bold supported his father-in-law, but he was enough of a diplomat not to be too open in his support. The succession by Philip in 1384 must have been a relief for Ghent and the Peace of Tournai (18 December 1385) was more of a compromise than a humiliating defeat for the city.²³

In the thirteenth century, the Flemish counts succeeded in obtaining two further French counties: Nevers and Rethel. Nevers, on the western border of the duchy of Burgundy, was acquired in 1272 through the marriage of Count Robert III of Béthune (1305–22) to Yolanda, heiress to Nevers. Together with the duchy of Burgundy and Franche-Comté, this constituted an uninterrupted stretch of territory. The county of Rethel, gained in 1322 through the marriage of Joanna of Rethel to Count Louis of Nevers, was on the other hand relatively isolated on the French side of the French–German border, close to Luxemburg. Margaret's dowry also included the towns of Mechelen and Antwerp.²⁴

Margaret of Artois died in 1382, and Nevers, Artois, and Franche-Comté went to her son Louis of Male. Less than two years later, on 30 January 1384, the Flemish count himself also died. For Philip the Bold, the funeral was a good opportunity to parade the glory for which the dukes of Burgundy would later become so famous; the English historian Richard Vaughan refers to this as 'bizarre pomp'. The coffin of the deceased count was lit by 700 candles, and above it hung the coats of arms of his five counties.²⁵ From this point, these counties formally devolved to Margaret of Male, although the actual government was in the hands of her husband Philip the Bold. In 1385 the ducal couple referred to themselves as 'Philip, son of the king of France, Duke of Burgundy, Count of Flanders, of Artois and of the Burgundian palatinate, Lord of Salins, Count of Rethel and Lord of Mechelen, and Margaret, duchess, countess and lady of the lands of the towns here mentioned.'²⁶ They also ruled over Nevers, but this title was given as an honorary title to their eldest son John the Fearless.²⁷ With the agreement of the French King, in 1391, Margaret appointed her husband as her direct heir. She had come to value his 'grant sens, prudence et discrecion, et par la puisance et vaillance' and expected

²³ Blockmans, Prevenier, *Bourgondiërs*, 35–43, 172–3; Boone, *Gent*, 201–10; Nicholas, *Medieval Flanders*, 227–31. The casselries of Aalst, Waas and Dendermonde, Overschelde, and the Four Offices belonged to the Empire. De Schepper, 'Burgerlijke overheden', 313; Van Peteghem, *Raad*, 21–2.

²⁴ Around the middle of the fourteenth century, Mechelen and Antwerp were firmly under the authority of Brabant, but after the Brabant War of Succession (1356–7) they were passed to Louis of Male. The rights to Mechelen and Antwerp were passed in 1380, to Margaret of Male: Laurent, *Quicke*, *Accession*, 74–5; Quicke, 'Circumstances', 400–2.

²⁵ Vaughan, *Philip the Bold*, 31–2.

²⁶ Bonenfant et al., *Recueil I*, 1, 89–103. Philip the Bold's long periods at the French court in Paris gave Margaret every opportunity to become actively involved in the politics of the Netherlands.

²⁷ Schnerb, *Jean sans Peur*, 35–8.

that he would be better able to govern her lands than her young children would.²⁸ In fact, Philip would never become the formal owner of the Flemish inheritance as Margaret of Male outlived him by a year. Their children John, Anton, and Philip would be the ones to benefit.

Up to this time, the expansion of the possessions of Burgundy was almost exclusively within the borders of the Kingdom of France, the home country of the house of Burgundy, and the expansion of Burgundian power proceeded relatively simply via the dynastic lines of kinship, marriage, and succession, aided by the considerable influence that Philip the Bold was able to exercise at the French court. Expansion on the other side of the French–German border was much more complicated. The acquisition of Brabant, a drama in two acts, is a good illustration of the problems inherent in the expansion of power in the Empire.

The Brabant Inheritance

The Brabant inheritance was made up of the duchies of Brabant and Limburg and the Lands of Overmaas (see Figure 2.4). Brabant was probably not the most prosperous or most powerful principality in the Netherlands, but it was the most prestigious. The west, with the towns of Leuven, Brussels, and Antwerp, belonged to the same urbanized landscape as the Flemish towns. The north and east, on the other hand, were much less urbanized. On the basis of their descent from the Carolingian emperors and kings, the dukes and their subordinates laid claim to a superior status. The ducal title derived from the duchy of Lower Lorraine, a long-lost offshoot of the extensive Carolingian Empire. The title of Duke of Lower Lorraine was acquired in 1106 by Godfrey I Count of Leuven (1095–1139); over time, his descendants changed this into ‘Duke of Lorraine and Brabant’. A more important issue was the ownership of the margraviate of Antwerp, the region around the towns of Antwerp and Breda that was also connected to the Lorraine title. The title of ‘Markgrave des Heyligen Rijcx’ or ‘Marquis du Saint-Empire’, borne by the dukes of Burgundy since 1430, was a reference to this.²⁹

In 1288 Duke John I managed to acquire the duchy of Limburg. Limburg was a small principality, named after the town of Limburg on the Vesdre, to the east of Liège. Just like the title of the duke of Brabant, the Limburg title was derived from the Lower Lorraine title.³⁰ From that point onwards, the Brabant dynasty would proudly proclaim its triple ducal title: Duke of (Lower) Lorraine, of Brabant, and of Limburg. There was a series of smaller lordships in the neighbourhood of Limburg that belonged to the duke of Brabant, and that are frequently referred to as the Lands of Overmaas; they included the territories of Valkenburg, ’s-Hertogenrade, Dalhem, Millen, Gangelt, and Waldfeucht. In practice, Limburg and the Lands of Overmaas were only rarely under the direct rule of Brabant. They served as the security for many ducal debts, which meant they were in the hands of creditors.³¹

²⁸ Bonenfant et al., *Recueil* I, 1, 413–18 nr. 273 and 274.

²⁹ Bonenfant, ‘Origine’.

³⁰ In 1101 Emperor Henry IV gave the title of Duke of Lorraine to Henry I of Limburg (1082–1119). In 1106 the same title was given by the successor of Henry IV, King Henry V, to Godfrey of Brabant.

³¹ Uyttebrouck, *Gouvernement*, 69–76. See Map 2.1.

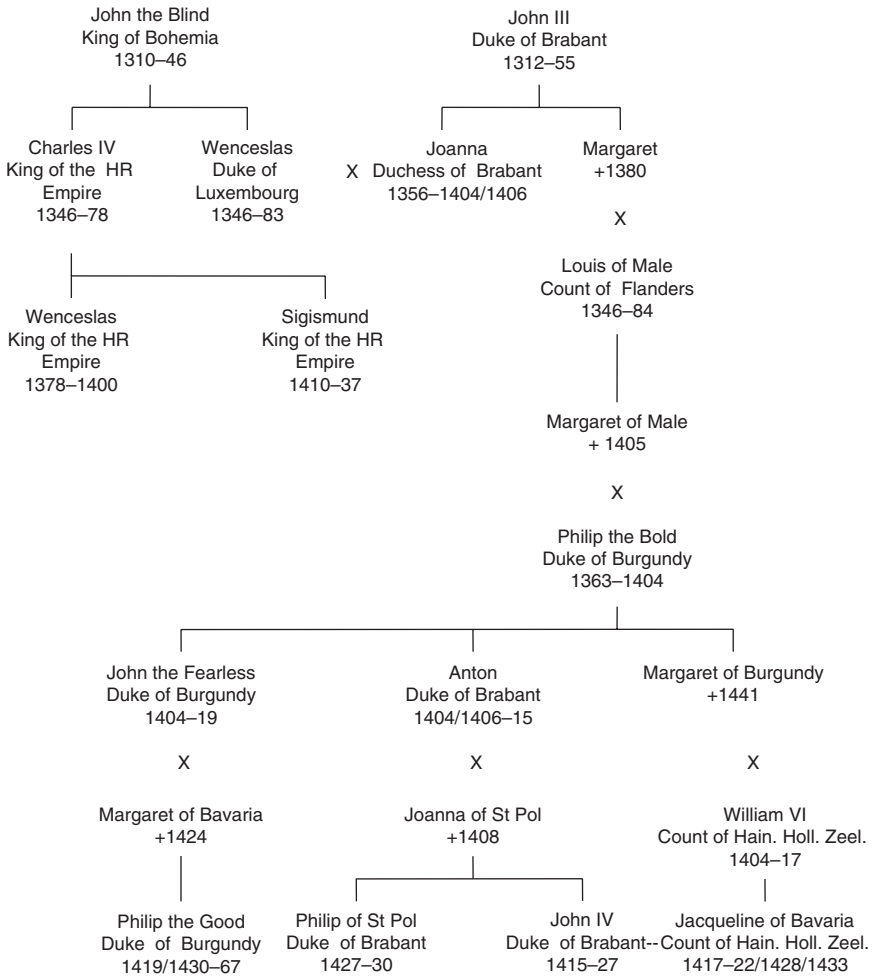


Figure 2.4. Simplified genealogical table of the Brabant line of inheritance (1355–1430)

The grounds for the annexing of Brabant by the Burgundians were laid in the middle of the fourteenth century. Duke John III died in 1355, leaving no male heirs. Consequently, during the second half of the fourteenth century, the diplomatic world of the Netherlands was driven by one question: who would succeed him in the duchies of Brabant and Limburg? There were two daughters to consider: Joanna, married to the much younger Wenceslas from the house of Luxemburg-Bohemia, brother of Emperor Charles IV, and Margaret, married to the Flemish Count Louis of Male (Figure 2.4). Immediately following the death of John III, the antagonism between the two sisters—or rather between both brothers-in-law—led to the outbreak of the Brabant war of succession. Under the Treaty of Maastricht (9 February 1357), Emperor Charles IV pledged to support his brother in his struggle. In exchange for this support, he was assured that Brabant

would devolve to the Luxemburg-Bohemian dynasty. The Brabant war of succession ended with the peace of Ath (4 June 1357), and the stipulations of this treaty at least implicitly contradicted those of the Treaty of Maastricht, agreed less than four months previously. It stipulated that Joanna and Wenceslas were not allowed to dispose of their principalities: *ne peuvent vendre, aliéner ne eslongnier le pais de Brabant en tout et en partie*.³² For Louis of Male and later for his son-in-law Philip the Bold, this stipulation was clear enough: if Joanna died without any children, the duchy would be subject to collateral succession. In that case, Margaret or her heir would be duchess of Brabant. As early as 1361, Louis indicated to Wenceslas that there was no doubt at all that this was his understanding of the stipulation.³³ Needless to say, Emperor Charles IV had other ideas. These differences of interpretation would still play a part eighty years later.

Louis of Male died on 30 January 1384, and Philip the Bold made little effort to conceal his intentions with regard to Brabant. Immediately after the funeral, and even before his investiture in the major Flemish towns, he left for Brussels to talk to Duchess Joanna, who had been widowed a few months previously. Until that time, Joanna had shown every loyalty to the interests of her husband and to the house of Luxemburg-Bohemia, but now she did an about-turn. From this time on, she applied herself to the interests of her only close blood relative, her niece Margaret of Male, wife of Philip the Bold (Figure 2.4).³⁴

Philip exploited Joanna's goodwill to strengthen his influence in Brabant in the years following 1384, using military, financial, and political means. In 1385–90 and 1397–9, for example, he provided a sizeable army to support the Brabant troops in their struggle against the Duke of Guelders. This was at no cost to Philip himself because the necessary funds were paid largely by the French crown and partly by the subjects of Brabant. The campaigns were now not so much a military but rather a political success. On the one hand, Philip was from now on able to rely on the gratitude of the duchess and her subjects, while on the other hand they were increasingly in his debt, literally and figuratively. At the end of the first Guelders war, they owed him 15,000 old écus; a few years later this had risen to 22,000 old écus. There were debts outstanding not only to the duke of Burgundy, but even more importantly to two lords of Overmaas: John of Gronsveld and Rainald of Schoonvorst. In the previous years, they had received almost the whole of Limburg and all the Lands of Overmaas in pledge, in exchange for large sums of money. When the debts of the duchess became unmanageable in the second half of the eighties, she allowed Philip the Bold to buy out Gronsveld and Schoonvorst (Table 2.1). He was after all 'logically and naturally' her obvious heir, *à cause de nostre tres chière nièce dame Marguerite*.³⁵ Consequently, Limburg and a large part

³² Willems in *BY* II, 543–7. Compare: Laurent, Quicke, 'Guerre', 120; Fantysová-Matějková, *Wenceslas*, 176.

³³ Willems in *BY* II, 585. Compare: Quicke, *Pays-Bas*, 68. See the treaty of 10 September 1368, by which Albert of Bavaria agreed that if he became the arbitrator after the death of Joanna, he would assign the duchy of Brabant to Louis, Quicke, *Pays-Bas*, 168–9.

³⁴ Vaughan, *Philip the Bold*, 32. Laurent, Quicke, *Accession*, 87–8.

³⁵ Quicke, 'Documents', 123–6.

Table 2.1. Payment of debts on the duchy of Limburg and the Lands of Overmaas by Philip the Bold

Domain	Payment by Philip the Bold
Limburg	1387
's-Hertogenrade	
Sprimont	
Wassenberg	
Dalhem	
Kerpen and Lommersum	
Valkenburg	1388
Millen, Gangelt, Waldfeucht	1389

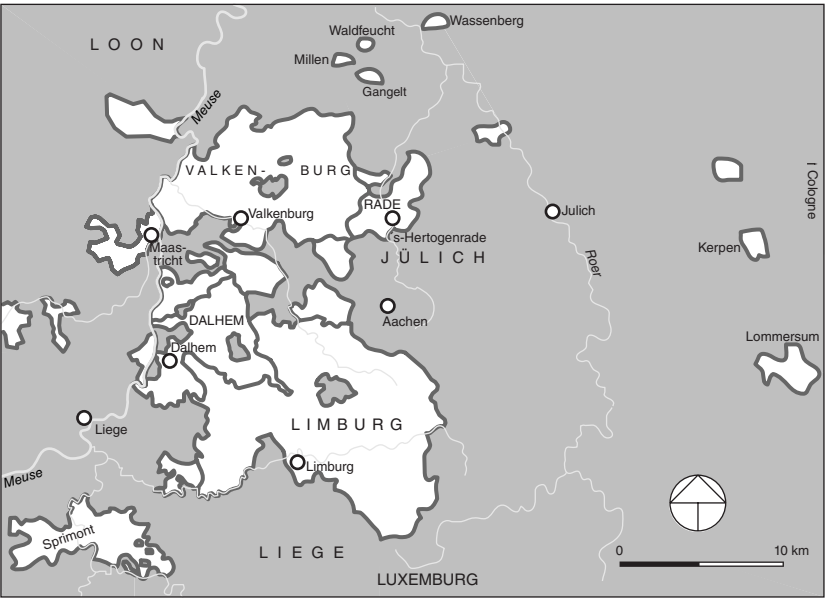
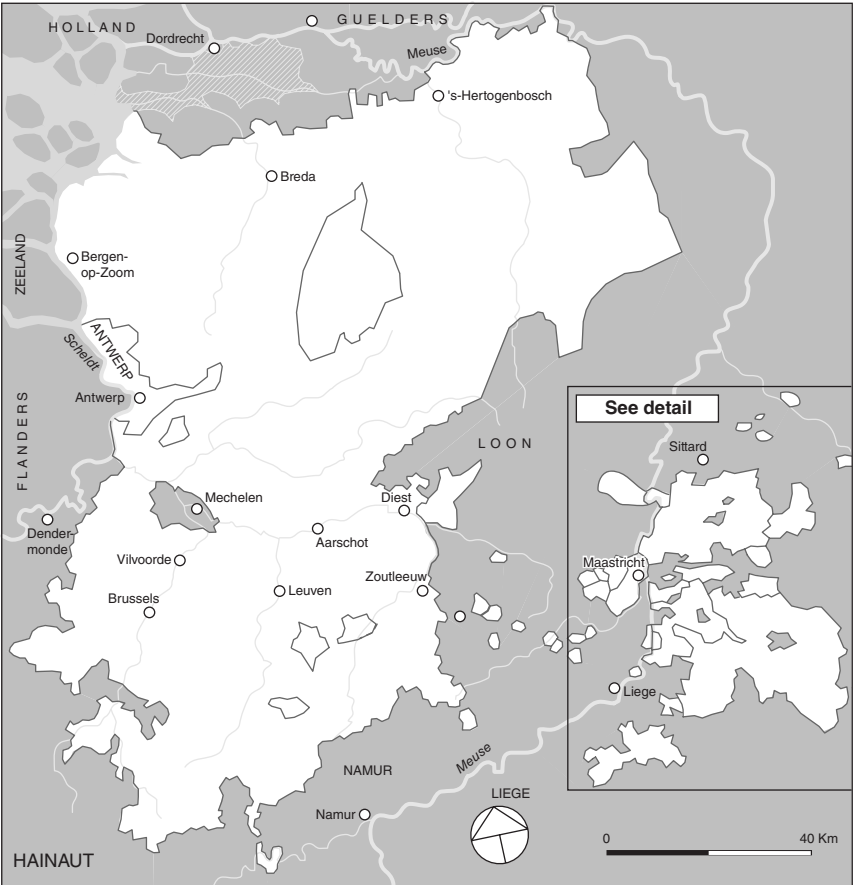
of the Lands of Overmaas fell in quick succession into the hands of the Burgundian dynasty (Table 2.2; Map 2.1).

A logical next step was for Joanna to appoint her niece Margaret as her heiress, which she did by means of a secret document published in Tournai in 1390, in which she lauded the qualities of Philip the Bold as a governor. By him, 'Our land can be held in peace and calm against any other party, better than by any other prince, lord or lady'. Joanna would herself retain the authority over these lands and enjoy the usufruct of them until her death.³⁶ In a certain sense this scenario did materialize. By 1404, the powerless, aged and demented duchess was no longer able to manage the government of the duchy. In May 1404 she handed over the government of Brabant to Margaret, who ten days later passed it on to her son, the future Duke Anton, who referred to himself as 'Governor of Brabant'. Joanna died on 1 December, aged 84. Barely two weeks later, the States of Brabant acknowledged Anton as their new duke.³⁷

During the rule of Philip the Bold, the foundation was laid for a further expansion of the Burgundian territories. Partly at the insistence of Duchess Joanna, a dynastic alliance was sought between the houses of Burgundy and Bavaria, rulers of Hainaut, Holland, and Zeeland. The two houses had already had intensive contacts for some time, but in 1385 their relationship was put on a more formal footing. On 12 April of that year, Philip's eldest son, John the Fearless, married Margaret of Bavaria, daughter of Count Albert of Bavaria, and at the same time, William VI, Albert's son and crown prince of Hainaut, Holland, and Zeeland, married Margaret of Burgundy. This union was to become the foundation for the Burgundian acquisition of Hainaut, Holland, and Zeeland, but at the time of the marriage, this was not yet on the cards. It was above all regarded as a diplomatic

³⁶ Bonenfant et al., *Ordonnances* I, 1, 392–4 nr. 257. Compare: Stengers, 'Philippe le Hardi', 386; Graffart, Uyttebrouck, 'Quelques documents'. 82. The inevitable, definitive formal transfer of the rights to the duchy of Limburg and the Lands of Overmaas took place on 19 June 1396: Laurent, Quicke, *Accession*, 264–5, 284–5, 408–33; Quicke, 'Documents', 188–92, *passim*.

³⁷ Stengers, 'Philippe le Hardi', 405–7; Uyttebrouck, *Gouvernement* I, 141–2.



Map 2.1. Brabant, Limburg, and the Lands of Overmaas

© Bert Stamkot, Cartografisch bureau MAP, Amsterdam

success: it strengthened the political position of both houses. Philip the Bold was looking for support for the extension of his power in Brabant, and Albert wanted international recognition and closer ties with France.³⁸

2.3.2 The Succession of Philip the Bold

Before their deaths, Philip and Margaret of Male made arrangements for the division of their inheritance. On 27 November 1401 they decided how their possessions would be partitioned among their three sons: John the Fearless, Anton, and Philip II, Count of Nevers.³⁹ In a long series of stipulations, they set out what the different scenarios were and what the effects would be of the different options: what should happen if one of the sons were to die before them, what if two were to die, what if only their grandchildren should survive them, and so on and so forth. Even before Brabant and Limburg were acquired, these duchies were also included in the partition arrangements. Table 2.2 gives an indication of the division of the inheritance if all three sons were to survive their parents.

The agreement was that John the Fearless would succeed to all the Burgundian lands, with the exception of the counties of Nevers and Rethel, that would devolve to the youngest son, Philip of Nevers. Anton, the middle son, had the prospect of inheriting the Brabant legacy; in the period between the death of his father and that of Joanna, he was to act as regent of both duchies. There were doubtless many factors that were taken into account in determining the distribution of the inheritance, but in terms of finances, the outcome was far from equal. Taking the income from the years 1394–6 as the starting point, it is clear that by far the largest part of the inheritance went to John the Fearless; the younger sons, especially Philip of Nevers, received a form of appanage. John received an annual sum of almost 270,000 pounds, whereas Philip received only one sixth of that amount: 43,000 pounds. For Anton, we only know the income from Limburg (8,500 pounds). Undoubtedly the income from Brabant was much higher, but it is nonetheless

Table 2.2. Partition of the Burgundian inheritance

John the Fearless	Anton	Philip
Burgundy	Brabant	Nevers
Flanders	Limburg	Rethel
Artois	Antwerp	
Franche-Comté		
Mechelen		

³⁸ Tóth-Ubbens, ‘Dubbel vorstenhuwelijk’.
³⁹ Publication: Bonenfant, Bartier, *Ordonnances* II, 518–27, no. 610. The treaty covered all the possible eventualities. For a detailed treatment, see, Graffart-Uyttebrouck, ‘Quelques documents’, 88–91; Schnerb, *Jean sans Peur*, 127–8. The confirmations: Cauchies, *Ordonnances* III, 1–5, 53–4, 92–3 nr. 2, 3, 4, 42, 66.

highly unlikely that the income from the almost bankrupt duchy would be anywhere near that of Flanders.⁴⁰

The three brothers confirmed the settlement treaty on 11 April 1405 (Figure 2.5). This did not mean, however, that the Burgundian personal union split into three independent personal unions. Rather, it devolved into a dynastic union, where the members cooperated closely with one another.⁴¹ In particular John the Fearless and Anton were strongly in favour of intensive collaboration; in 1405 they also brought William VI, Count of Hainaut, Holland, and Zeeland, into the alliance. On 21 July of the same year, they pledged to support one another '*considerans la prochaineté de lignage et alliances de mariage*'.⁴² There is little doubt that the alliance was above all motivated by the increasing threat that Louis of Orleans and the Armagnac faction posed for the position of Burgundy in France.⁴³ The alliance



Figure 2.5. Division of the inheritance of Philip the Bold among his sons John the Fearless, Anton of Brabant, and Philip of Nevers. Brussels, AR, MD 983, f. 297r

⁴⁰ Van Nieuwenhuysen, *Finances... Montant*, 167. For the status of the ducal domains: Graffart, Uyttebrouck, 'Quelques documents', 99. In 1445 the income from the Brabant domains was approximately one third of that of Flanders: Blockmans, Prevenier, *Bourgondiërs*, 168, 173.

⁴¹ Beck, *Sachwörterbuch*.

⁴² Plancher, *Histoire III*, ccxlv–ccxlvii nr. CCXLVII.

⁴³ Schoos, *Machtkampf*.

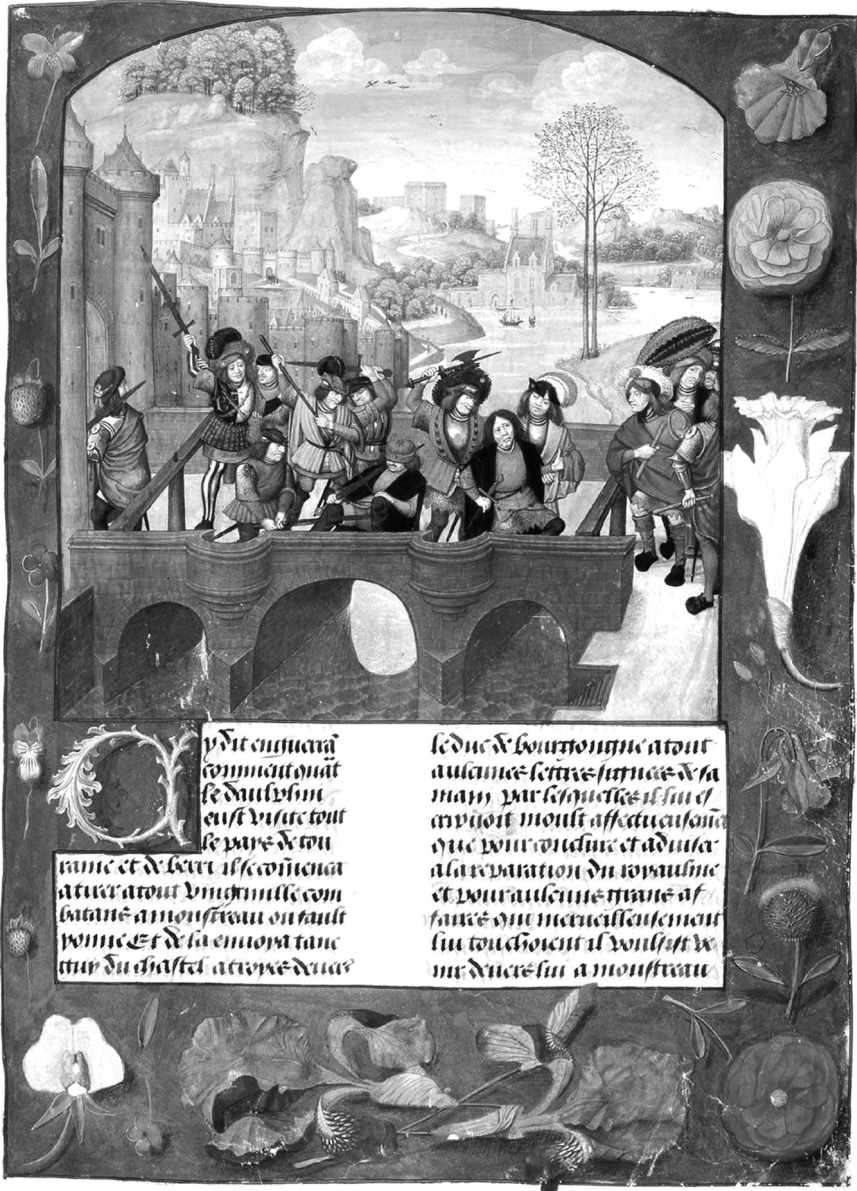


Figure 2.6. The murder of John the Fearless on the bridge of Montreuil (1419). Late fifteenth-century copy in a manuscript of the *Chroniques* of Enguerrand de Monstrelet. Leiden University Library, VVG F 2

proved its worth when the position of John of Bavaria, Prince-bishop-elect of Liège, was under threat of a revolt by his subjects. The peace treaty of 24 October 1408 was engineered by the Bavarian and Burgundian dynasties in consultation with one another.⁴⁴ After Anton's death in 1415, the collaboration diminished. By this time the duchy of Brabant seemed so unstable that it could no longer be considered a reliable ally. The definitive political integration of Brabant and Hainaut-Holland-Zeeland in the Burgundian personal union did not materialize until the 1430s.

Just like his father, John the Fearless devoted his greatest efforts to territorial expansion in France. His life was dominated by his attempts to bend the court of the weak-minded King Charles VI (1380–1422) to his will, in a deadly struggle with the Armagnac faction. In comparison with the developments during the reign of his father, territorial expansion under John the Fearless was modest. Under his rule, the duchy of Burgundy acquired the small county of Tonnère and the town and bailiwick of Macon in the south, and in the border area of Artois, the county of Boulogne and the towns and castellanies of Péronne, Roye, and Montdidier in the north.⁴⁵ These regions were taken by military force, but John's dominant influence at the French court meant that he was able to legitimize his acquisitions. As a consequence of the struggle with the Armagnacs, he was murdered in 1419 on the bridge of Montereau, in the presence of the French crown prince—and probably on his orders (Figure 2.6).⁴⁶

2.4 EXPANSION IN THE FIFTEENTH CENTURY

The murder of John the Fearless completely changed the perspectives of the Burgundian dynasty. His son and successor Philip the Good turned his back on France and the French court, seeking instead an alliance with England. It has been suggested that this murder signified the start of a Burgundian state, completely separate from France.⁴⁷ A logical and highly important consequence was that the further expansion of the Burgundian union was no longer centred on France, but was more or less within the Empire.⁴⁸ The astute politician and skilful ruler Philip the Good made his mark firmly in the initial decade of his reign. In a first wave of offensives, Namur (1421/1429), Hainaut-Holland-Zeeland (1425/1428/1433), and Brabant-Limburg (1430) were seized in quick succession. This was soon followed by Luxemburg; at a later date Guelders would be taken by Charles the Bold. The wave of expansion started with the acquisition of the county of Namur in 1421.⁴⁹

⁴⁴ Vaughan, *John the Fearless*, 48–66.

⁴⁵ Vaughan, *John the Fearless*, 181–4, 237.

⁴⁶ Bonenfant, *Meurtre*; Guenée, *Meurtre*; Vaughan, *John the Fearless*, 263–86; Schnerb, *État*, 168–71; Schnerb, *Jean sans Peur*, 679–89.

⁴⁷ See, for example, De Schepper, 'Burgundian-Habsburg Netherlands', 502; but compare: Bonenfant, *Philippe le Bon*, 33–9.

⁴⁸ In the early years of the government of Philip the Good, a few French regions were added to the Burgundian possessions, but this was negligible in comparison with the expansion within the Empire. Compare: Schnerb, *État*, 201–2.

⁴⁹ For the status of the principalities of the Netherlands within the Empire: De Borchgrave, *Histoire*, 1–43; Galesloot, 'Revendication'; Stein, 'Recht'.

2.4.1 The Namur Inheritance

The county of Namur was one of the smallest and most sparsely populated principalities in the Netherlands. The relatively insignificant status of the county undoubtedly explains why the acquisition of the rights by Philip the Good caused few or no problems. In 1421 the childless John III was forced for financial reasons to cash in his assets. Jean de Stavelot's account of the sale is revealing. In seeking to find the highest bidder, John initially intended to sell his county to the Liège bishop John of Heinsberg. During the negotiations in July 1420, two wealthy Liège merchants—traders in charcoal, no less!—stepped forward and in the presence of a large number of courtiers demanded the repayment of a loan, a demand that the Count of Namur was not in a position to meet. Deeply humiliated, he swore never to sell his county to anyone from Liège. Instead, he sought his salvation through another neighbour, the powerful Philip the Good.⁵⁰ Philip was willing to reach an amicable settlement, and on 16 January 1421, John III sold the rights to Namur to Philip the Good for the sum of 132,000 crowns. As part of the negotiations, John managed to retain the usufruct of the country for the duration of his lifetime; after this, Philip the Good would take over his rights as Count of Namur. Several months later, both princes reconfirmed the treaty, and on 8 June 1421, the States of Namur also indicated their acceptance of Philip as successor. The Duke of Burgundy himself was far less trusting. On 22 July 1421, he nominated twenty-two people who, on John's death, were to travel with all speed to the county and take possession of Philip's newly acquired territory. The final realization of the inheritance had, of course, to wait until the death of John III, and it was not until 13 March 1429 that Philip was inaugurated as Count of Namur, as had previously been said, with no problems worth mentioning.⁵¹

2.4.2 The Bavarian Inheritance

The same was by no means true of the subsequent Burgundian acquisitions, those of Hainaut, Holland, and Zeeland—a title that formally also included the lordship of Friesland.⁵² As we now know, it is clear that a double marriage constituted the final legitimization for the incorporation of the three counties into the territory of Burgundy, but when the agreement was struck, there was no indication of this. The double marriage in question took place in 1385, when the Crown Prince of Burgundy, John the Fearless, married Margaret of Bavaria, and William VI, Crown Prince of Hainaut-Holland-Zeeland, married Margaret of Burgundy (Figure 2.7). The marriage contracts stated expressly that the descendants of William and Margaret would succeed to Hainaut, Holland, and Zeeland, and those of John the Fearless would succeed to the Burgundian territories.⁵³

The personal union of Hainaut, Holland, and Zeeland was in itself a *composite monarchy*. It came into being in the second half of the thirteenth century, when the

⁵⁰ Douxchamps, 'Vente', 133–4 and *passim*.

⁵¹ Douxchamps, 'Vente'.

⁵² For the Frisian title of the Counts of Holland: Janse, 'Groot-Friese gedachte', 143–61.

⁵³ Tóth-Ubbens, 'Double royal marriage'.

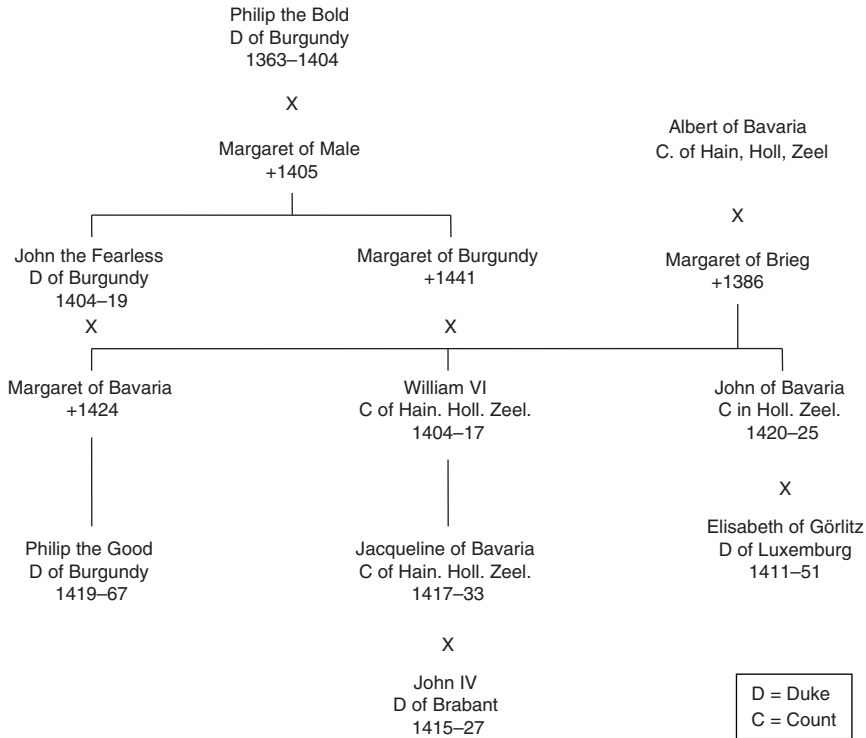


Figure 2.7. Simplified genealogical table of the House of Bavaria (1404/1406–30)

archipelago of Zeeland, that had for a long time been a bone of contention between the counts of Flanders and those of Holland, fell to the counts of Holland. Until 1291, the counts only used the title of Holland, but in that year, Floris V added Count of Zeeland and Lord of Friesland to his list of titles. His use of the title of Count of Zeeland was intended to protect himself against the Flemish claims to the islands; he wanted to make an impression on the King of England with his use of the Frisian title, because the region was renowned from the epic literature in which it was associated with wealth and power. The effective power of the count in Friesland was very limited but this was something the English king may well have been unaware of.⁵⁴ In 1299, after the death of Floris V and his son John I, Holland and Zeeland passed to the House of Avesnes that also controlled Hainaut. The three counties then passed in 1345 to the House of Bavaria. However, this did not bring about the peace that everyone had hoped for. Until its demise, the dynasty was plagued by a long series of crises: mental instability, family quarrels, and a lack of male heirs. It is not surprising that Holland and Zeeland were almost continuously torn apart by factional conflicts.

⁵⁴ De Boer, 'Positioning princely power', *passim*; Kruisheer, *Oorkonden* I, 103–7; Janse, 'Groot-Friese gedachte', 155.

The issue of the inheritance of the three counties became pressing at the point when it was clear that Count William VI (1404–17), the husband of Margaret of Burgundy, would not leave any male heirs. The burden of providing an heir fell to her daughter Jacqueline of Bavaria. While her father was still alive, the Holland towns and noblemen promised to honour her as their liege lady and true heiress.⁵⁵ And indeed, following the death of her father, Jacqueline was inaugurated by the subjects of the three counties, but this was just the start of a long period of calamities.

Shortly after the death of William, preparations were made for the marriage of Jacqueline to John IV of Brabant. The marriage was agreed following the intercession of the duke of Burgundy, and it seemed to provide a guarantee for maintaining their influence in the northern Netherlands. The affair was clouded by the unclear status of the marriage. John and Jacqueline were third-degree relatives, and a papal dispensation was needed for the marriage. On 22 December 1417, Pope Martin V gave permission for the marriage to take place. However, it met with growing resistance, particularly from John of Bavaria and King of the Romans Sigismund. The first of these was the brother of the late William VI and therefore Jacqueline's uncle. He hoped to be able to occupy the throne of the three counties himself.⁵⁶ Sigismund was especially concerned about the growing influence of Burgundy in the Empire. As a result, two weeks later the Pope rescinded his decision. In vain: the original letter of the papal revocation never reached the couple. John of Bavaria was kind enough to have a copy made of his own letter, but it had little impact. The marriage arrangements went ahead with indecent haste, and in the night of 10 to 11 March 1418, the duke 'besliep die hertoghe miere vrouwe'—slept with my Lady.⁵⁷

Even in the historiography of the time, John IV had a reputation as a weak prince who wasted his assets. A Utrecht writer commented:

The Duke of Brabant conducted a very damaging administration, because when he owned Brabant, Hainaut, Holland and the attendant territories, he could have had the power and wealth of a king, if he had wished. But as he divested one country after another, this could not have been his aim.⁵⁸

This is indeed what happened. Under pressure from political factions and driven by financial need, in 1420 John pledged Holland and Zeeland for a period of twelve years to John of Bavaria, without the knowledge of the heiress. He was entitled to do this in his position as Jacqueline's husband and guardian.⁵⁹ However, Jacqueline herself was far from impressed with this state of affairs. From February 1421 she disputed the validity of their marriage (after all, the Pope had withdrawn

⁵⁵ Bos-Rops et al., *Holland bestuurd*, 173–5 nr. 44.

⁵⁶ Devillers, *Cartulaire IV*, 158; compare: Van Riemsdijk, *Opdracht*, 14; Smit, *Vorst*, 152–7.

⁵⁷ Van Riemsdijk, *Opdracht*, 10–12, for the interesting later diplomatic fate of the marriage, 21–3, 29–32, 46–4750; quote: *Brabantsche Yeesten VII*, 8120.

⁵⁸ Beke, *Croniken*, 328.

⁵⁹ See Uyttebrouck, *Gouvernement I*, 112. The terms of the Treaty of Woudrichem (1420) required that Jacqueline recognized the pledging: Van Riemsdijk, *Opdracht*, 17–18.

the dispensation) and John's decision to transfer both counties. She fled to England, where she entered into a new marriage with Humphrey of Gloucester, the brother of the English King Henry V. Hainaut remained under the authority of John IV, but was also firmly under the influence of Burgundy. In the autumn of 1424, Jacqueline and Humphrey entered Hainaut with a small army and had little difficulty in gaining control of the county. However, they were apparently unable to resist the reaction by an alliance of Brabant and Burgundian troops, and in June 1425 the former situation was restored; Humphrey fled and Jacqueline was imprisoned.⁶⁰

John of Bavaria died on 6 January 1425. So, what would happen next? Sigismund, King of the Romans, believed that the counties, as fiefs of the Empire, should now come under his authority.⁶¹ According to the terms of the agreement of 1420, Holland and Zeeland would revert to Jacqueline.⁶² This meant that her marriage to John IV would be crucially important: was their marriage lawful or not? Could John IV act as her guardian? Was he the legitimate ruler of Hainaut, Holland, and Zeeland? The Duke of Brabant did not wait for the answer to these questions. On 1 June 1425 he and Philip the Good signed the Treaty of Douai under the terms of which they agreed to govern Hainaut jointly.⁶³

For Holland and Zeeland the Duke of Brabant needed a little extra persuasion. On 7 July 1425 an English spy spread the rumour that Humphrey would again invade, this time with an army of 20,000 men, that would be increased later by a further 16,000 men. The source of this message was suspect: it came from two Burgundian supporters, Peter of Luxemburg and John of Schoonvorst, supposedly in the service of Brabant, and no concrete indication has ever been found that the English threat would manifest itself on such a scale. Nonetheless, the very idea of 36,000 much-feared English archers was a nightmare that Brabant could never handle alone. The *Continuation of the Brabantsche Yeesten* comments: 'Duke John lost no time in informing his powerful nephew of Burgundy, sharing with him all the details of the rumours, and asking for his help. The wealthy Duke of Burgundy agreed willingly, honestly and with a good heart.'⁶⁴ Whether of good heart or not, the support from Burgundy obviously came at a price. Less than two weeks later, on 19 July 1425, the Treaty of Mechelen was signed, in which John IV pledged Holland and Zeeland for twelve years to his Burgundian colleague.⁶⁵ John could buy back the two counties at the end of this twelve-year period, although nobody

⁶⁰ Janse, *Pion*, 214–32.

⁶¹ *Regesta Imperii* XI, nr. 6169, dd. 1 March 1425.

⁶² After the death of John of Bavaria, Sigismund sent the bailiff of the village of Gelnhausen, close to Frankfurt, to Hainaut, Holland, and Zeeland to take possession of these principalities: De Dynter, *Chronica* III, 464–5.

⁶³ Jansma, *Raad*, 56–7; Prevenier, Smit. *Bronnen* I, 1, respectively, 657 and 661. Publication: De Dynter *Chronica* III, 456–8.

⁶⁴ 'Ooc sant die hertoghe [John IV] onvertoghen / Aen van Bourgognen sinen neve vermoghen / Ende becondichde hem met ondersceit / Alle die niemeere voorseit, / Ende bat hem voort, si u bekant, / Om succoers ende bistant; / Twelc van Bourgognen die hertoghe rijc / Hem consenteerde willichlijc / Met goeder herten uut rechter trouwe.' *BYVII*, vs. 15843–51.

⁶⁵ *BYVII* vs. 15779–950; compare for the position of Peter of Luxemburg and John of Schoonvorst: Uyttebrouck, *Gouvernement* II, respectively, 709–10, no. 161 and 733–5, no. 232.

expected that the penurious duke would be in a position to do so. In fact, this meant that Philip would follow in the footsteps of John of Bavaria.

The question is whether all these agreements were lawful. According to Philip the Good and John IV they were; the Duke of Brabant was acting as Jacqueline's husband and guardian. But Jacqueline thought otherwise; had she ever been married to John IV? This stalemate resulted in a turbulent civil war, with one party (the Hooks) gathering around Jacqueline, and the other (the Cods) under the leadership of Philip the Good. However chaotic the situation was, the actual governance of both counties was conducted in the name of Philip the Good: the county's officers were accountable to him.⁶⁶

Jacqueline's resistance was in vain. After the death of John IV, the States of Hainaut appointed Philip the Good as her guardian and pledged allegiance not to Jacqueline, but to Philip as 'nostre prince et droiturier seigneur'.⁶⁷ In Holland and Zeeland, too, things did not work out in the countess' favour. On 3 July 1428, she felt obliged to conclude the Treaty of Delft, a reconciliation with her greatest opponents, the Cod nobles and towns. At the same time she recognized the validity of her marriage with John IV and confirmed the settlements of the treaties of Douai and Mechelen, and Burgundian control of Hainaut, Holland, and Zeeland. Possibly even more important is the fact that she recognized Philip as her heir.⁶⁸

In 1428 Philip the Good had clearly built up a strong position of power in Hainaut, Holland, and Zeeland, but formally he was still not a count of these lands. That had to wait until the formal transfer of power, which took place on 12 April 1433. Jacqueline transferred her counties to Philip the Good and his heirs 'irrevocably ... as if these were his own lands, heritages, lordships and possessions'. The reason she gave was that as a woman she had too little authority and was unable to improve the financial situation of the lands.⁶⁹ Whether or not this made Philip the Good the lawful successor in Hainaut, Holland, and Zeeland remained to be seen. Sigismund, King of the Romans, was of the opinion that this was not the case. He had never recognized Jacqueline's position and consequently also did not recognize the transfer of power. Jacqueline's death in 1436 strengthened Philip the Good's position as lawful heir, as he was at that point in time the closest heir of Albert of Bavaria who had died thirty years previously. Nor did this convince Sigismund: in 1437 he accused Philip of occupying the counties through force and without any right or reason (*absque jure et racione*).⁷⁰

2.4.3 The Definitive Acquisition of the Brabant Heritage

As we have seen, under the treaty of partition of 1401, Brabant and Limburg would devolve to Anton. In 1404 he became regent for his elderly Aunt Joanna, and following

⁶⁶ Janse, *Pion*, 236–87; Bos-Rops, *Graven*, 185–221.

⁶⁷ Wellens, 'États', 107–8.

⁶⁸ Stein, 'Affaire' 6–10; Bos-Rops et al., *Holland bestuurd*, 232–9. For the administrative consequences in Holland and Zeeland: Van Riemsdijk, *Tresorie*, 331–4; Damen, *Staat*, 176–81.

⁶⁹ Bos-Rops et al., *Holland bestuurd*, 278–9.

⁷⁰ De Dynter, *Chronica* III, 519.

her death in 1406, he acquired the title of duke. By now Burgundian expansion had met with growing resistance in the Empire, with the acquisition of Brabant playing a key role in this resistance. We have already seen Wenceslas King of the Romans deposed in 1400 on the grounds of his failure to act firmly against the French expansion. His successor Rupert of the Palatinate took a more active approach. Immediately after the death of Duchess Joanna, he sent letters to the nobles and towns of Brabant, commanding them to recognize his rule. None of them deigned to answer.⁷¹ Matters became more serious after 1410, when Rupert died and was succeeded by Hungarian King Sigismund. Sigismund was not only King of the Romans but was also head of the house of Luxemburg-Bohemia, and under the terms of the Treaty of Maastricht in 1357, he had a claim to the succession in Brabant.⁷²

In the intervening period, Duke Anton had entered into negotiations with Sigismund's brother, the deposed King of the Romans Wenceslas, and in 1409, he married Elisabeth of Görlitz, niece of both Wenceslas and Sigismund.⁷³ This marriage was important for two reasons. First of all because Wenceslas, in name still as King of the Romans, recognized the legitimacy of Anton's succession. Secondly because he gave Elisabeth a dowry of 120,000 Rhenish guilders, for which the duchy of Luxemburg served as security. This dowry would later—much later—form the basis for Burgundian succession in Luxemburg.

The two brothers Anton of Brabant and John the Fearless worked closely together, particularly in terms of their foreign policy on France and the Empire. Anton's death at Agincourt in 1415 changed the situation completely. He was succeeded by his under-age and feeble son John IV, who increasingly came under the influence of anti-Burgundy factions at the court of Brabant. The marriage of John IV to Jacqueline was another diplomatic success for Burgundy, but it was also the start of a hectic period, and it was not until 1421 that Burgundian influence was partially restored. When John IV died in 1427, his younger brother Philip of St Pol succeeded him (Figure 2.4). It became apparent that he too was on the side of Burgundy. In his so-called will of 3 September 1427, he appointed Philip the Good as his successor in Brabant and Limburg:

Item, my afore-mentioned lord of Brabant recognises, establishes and determines herewith, in the manner of an irrevocable testament or last will, as a gift between the living and in all possible other ways and means, appoints my aforementioned lord of Burgundy as his heir to the duchies of Brabant and Limburg and his margraviate of the Holy Empire, and all that belongs to and is dependent on them.⁷⁴

However, after this, relations between the two cousins deteriorated rapidly. Early in 1428, Philip of St Pol wanted to marry Yolanda of Sicily. She was descended

⁷¹ *Regesta-Imperii* X, nr. 4648–9, 5079, dd. 22/12/1406, 26/11/1407.

⁷² Linssen, 'Keizer Sigismund', 332.

⁷³ Armstrong, 'Politique', 267–8; Vaughan, *John the Fearless*, 248–9.

⁷⁴ Bertholet, *Histoire* IV, v–vi. Compare: Verkooren, *Inventaire... Luxembourgeois* IV, 198–9; citation: Brussels AR, CC 131, f. 159r; CC 32, f. 72r; CC 39, f. 107r; CC 4, f. 120r; Würth-Paquet, 'Table... Règne de Sigismund', 41 nr. 167.

from the House of Anjou, at that time the arch enemy of the House of Burgundy. Against the wishes of Philip the Good, he put his plans into action. On 25 July 1430 a welcome committee was ready in Reims to receive the bride, but the Duke of Brabant died unexpectedly. It comes as no surprise that many people entertained suspicions of poison.⁷⁵

The death of Philip of St Pol caused a dilemma for the States of Brabant. Who was now the lawful successor? A number of different pretenders stepped forward. The first to appear was Margaret of Burgundy, the mother of Jacqueline and aunt of Philip the Good. Most convincingly she stated that she was the aunt of the deceased duke (Figure 2.4) and was therefore a third-degree relative of his. As succession via the female line was possible in Brabant—there were several precedents to support this—she believed she was the lawful successor.⁷⁶ There were others who stated that succession was only possible via the male line, which would support the claim by Louis of Hessen. He was descended in a direct male line from Henry II of Brabant, who had died in 1248. Another option was to adhere to the arrangements provided for in the various treaties that had been agreed. The oldest of these was the Treaty of Maastricht in 1357, that favoured the appointment of Sigismund, King of the Romans. However, this could be disputed by the transfer of rights by Joanna in 1390 in favour of the House of Burgundy. And finally there was the ‘will’ drawn up by Philip of St Pol (1427) that pointed in the direction of Philip the Good, who was also able to call on his close relationship with Philip of St Pol; not a third-degree relationship as in the case of Margaret, but fourth degree. For two months, the embalmed body of the deceased duke was laid out in the Leuven castle chapel, as a symbol of the immortality of the power of the Duke of Brabant and the remarkable indecisiveness of Brabant, while the States deliberated on the fate of the duchy. Eventually they chose the Burgundian option.⁷⁷ Then, on 5 October 1430, Philip the Good swore the terms of the Joyous Entry, becoming from that time onwards Duke of Lower Lorraine, Brabant, and Limburg.

Once again the question arose of whether Philip the Good was the lawful successor. In any event, Margaret was not convinced about her nephew’s conduct. In 1433 she arranged to have him assassinated—or was this rumour dreamt up as Burgundian propaganda? The fact is that a year later, she capitulated and transferred her rights to Philip, in exchange, it is true, for a considerable annuity.⁷⁸ Emperor Sigismund expressed his displeasure. The transfer of power was founded on the ‘will’ of Philip of St Pol, an arrangement under treaty law that had no validity without the emperor’s consent. In the same year Sigismund concluded a treaty with King Charles VII of France against Philip the Good, on the grounds that Philip had shown himself to be a usurper:

⁷⁵ Stein, *Politiek*, 198–201; Aerts, ‘Ziekte’.

⁷⁶ Even the Burgundian court writer Georges Chastellain had to admit that Margaret had well-founded claims: Chastellain, *Oeuvres* II, 77–83.

⁷⁷ Stein, *Politiek*, 167–9.

⁷⁸ Devillers, *Cartulaire* V, 275–8.

He has appropriated many fine principalities and lordships in the Netherlands, that had devolved upon us and the Empire, and several that came to us through the law of succession, unsolicited with violence and illegally, and he still holds them today, evilly, against us and the Holy Empire, to the scorn of all German lands.⁷⁹

A few months later, Sigismund declared war on him, but even the threat of military intervention could not endanger Philip the Good's position. Brabant and Limburg again fell to the main line of the House of Burgundy, and the dynastic union, that arose in 1404, again became a personal union.⁸⁰

2.4.4 The Succession in Luxemburg

Shortly before the inauguration of Philip the Good on 5 October 1430, a document was read aloud to the States of Brabant setting out his rights, not only to Brabant and Limburg, but also to the duchy of Luxemburg and the annexes, the county of Chiny, and guardianship of the county of Ferrette.⁸¹ The large but sparsely populated duchy of Luxemburg was particularly valued by Philip the Good because of its strategic location. 'Qui Rheno imminet, Francia tangit, Leodii patriam cingit, Trevirensium coercit'.⁸² It is therefore not surprising that he went to a lot of effort to acquire it.

In the fourteenth and the greater part of the fifteenth century, the county—later to become the duchy of Luxemburg—belonged to the Luxemburg-Bohemia dynasty, that also held the imperial crown from 1346 onwards (Figure 2.8). Since early in the fourteenth century, the princes of this house had been much more interested in the situation in the south-east of the Empire and were forced by lack of finances to pledge Luxemburg almost continually to third parties. This led to a distinction between the *seigneurs heritiers*, the Luxemburg-Bohemian dynasty, on the one hand, and the monarch who held the duchy in pledge and who actually exercised power on the other, the *seigneur par manière de gagière*.⁸³

⁷⁹ 'Er hat sich in Nyderlanden vil treflicher furstentumen und herrschaft, die an uns und das reich gefallen, und ettliche, die uns von erbs wegen zugehören, uns unerfordert mit gewalt und wider recht underwunden und heldet die noch heutbeytag frevelich wider uns und das heilig reich und zu smacheit allen Deutschen lannden.' *RTA* XI 409–10 nr. 218, 530–4 nr. 286–7.

⁸⁰ This did not mean that ownership of Brabant was undisputed. In 1430 it had not been recognized that the terms of the Treaty of Partition determined that if Anton were to die without issue, Brabant and Limburg would devolve to Philip Count of Nevers or his heirs. Philip himself had been killed at the Battle of Agincourt, but his son John (born in 1415) was well and truly alive. Urged by Louis XI, in 1467, John would claim the succession in Brabant; the towns were still flirting with his claim to succession, but eventually the nobles tipped the balance in favour of Charles the Bold as successor. De Mandrot, 'Jean de Bourgogne'.

⁸¹ Verkooren, *Inventaire... Brabant III 1427–1430*, reference to: Brussels AR, CC 2, f. 81v (Latin version) and CC 12, f. 325v (French version).

⁸² Citation from a letter from Philip the Good dating from 1447 to Pope Nicholas V: Richter, *Luxemburgische Erbfolgestreit* 27 n. 1. In 1446 he had already commented: 'Oock es myn lant van Luxemborch wel gheleghen om 't besud van allen mynen anderen landen ende sonderlynghe van Vlaenderen ende Brabant' (My land of Luxemburg is well situated to protect all my other lands, and especially Flanders and Brabant: *Dagboek der Gentsche Collatie*, 4).

⁸³ Trausch, *Luxemburg*, 98–107; Würth-Paquet, 'Table chronologique... Ladislas-Philippe', 12–18.

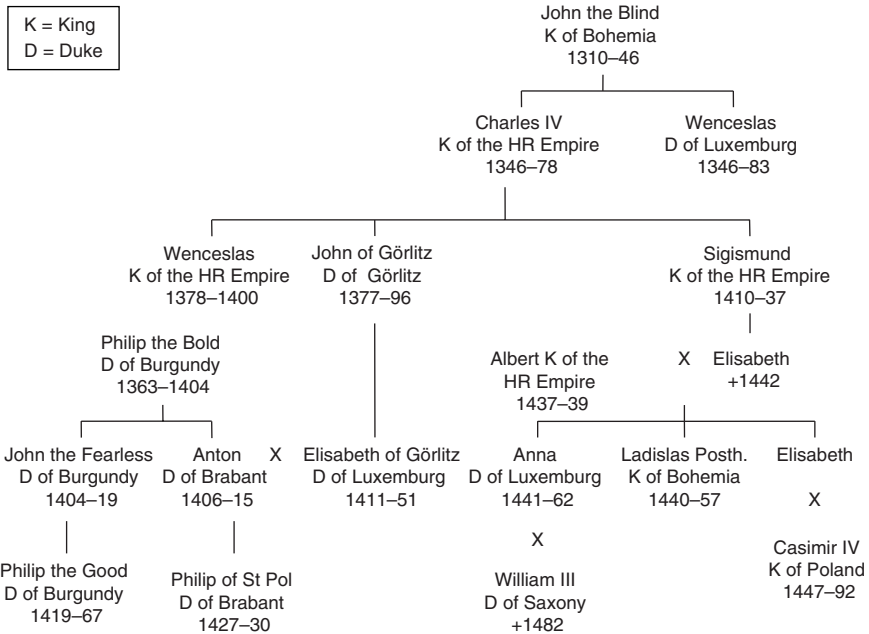


Figure 2.8. Simplified genealogical table of the House of Luxembourg

A key figure in the acquisition of Luxemburg by the House of Burgundy was Elisabeth of Görlitz. Elisabeth, born in 1390, was the only daughter of John of Görlitz (Figure 2.8).⁸⁴ In 1409 Elisabeth's uncle, the notorious drunkard Wenceslas, arranged her marriage to the older widower Anton, Duke of Brabant. Some years previously, in 1400, Wenceslas had been deposed as King of the Romans, but he nonetheless continued to act as head of the house of Luxemburg-Burgundy, although his position was threatened by his brother Sigismund. By marrying off Elisabeth to Anton, he tried to gain support on the western side of the Empire, from the powerful and wealthy house of Burgundy. On 13 August 1411, Wenceslas determined that Elisabeth and Anton (and any possible heirs) should have actual authority over the duchy of Luxemburg. If Elisabeth should die without issue, Anton and his heirs would be entitled to a lump-sum payment of 120,000 Rhenish guilders, with Luxemburg as the security. Given the precarious financial situation of the House of Luxemburg-Bohemia, the likelihood of the pledge being paid off was negligible. This sum of money would continue to steer the annexation of Luxemburg by Burgundy for many years to come.

Following the death of Anton in 1415, Elisabeth remained the *dame par manière de gagière* over Luxemburg. The claim by Brabant to the pledge sum remained in place. This devolved from Anton first to John IV of Brabant and later to Philip of

⁸⁴ For a short biography of Elisabeth: Petit, 'Elisabeth von Görlitz', 1835-6; Varenbergh, 'Elisabeth de Gorlitz', 548-52.

St Pol and subsequently in 1430, together with the Brabant inheritance, to Philip the Good. For more than ten years, Philip the Good worked to persuade Elisabeth to hand over the running of the duchy to him, and finally in 1441, she appointed him as her regent in exchange for 18,000 Rhenish guilders in cash and an annuity of 7,000 Rhenish guilders. It did take a battle to convince the inhabitants of the duchy of Philip's new status, but from 1444, he formally became the *seigneur par manière de gagière*, a status that continued after Elisabeth's death in 1451. The rights of inheritance still resided with the dynasty of Luxemburg-Bohemia, and not with Burgundy. The spectre of a possible loss of the stem duchy to the dukes of Burgundy must have been a nightmare for the dynasty of Luxemburg-Bohemia. Attempts were made by various descendants to pay off the pledge, but in vain. In around 1460, forced by financial difficulties, the younger generation of the dynasty gradually sold off their inheritance. On 2 January 1459, William of Saxony, husband of Anna of Luxemburg, was forced to sell off part of her (!) inheritance to the French King Charles VII. Charles promised to pay 50,000 Rhenish guilders, but the initial tranche of 10,000 Rhenish guilders was both the first and the last. William and Anne sold their hereditary titles for the remaining 40,000 Rhenish guilders to Philip the Good. This was also the impetus for the French King to transfer his share. In 1462 the dukes of Burgundy owned all rights to Luxemburg, and were recognized as dukes. Or maybe not? Elisabeth, Anna's sister, is said to have demanded a 'large sum of silver' from the Duke of Burgundy.⁸⁵ As things turned out, Charles the Bold would be the first Burgundian duke to bear the title of Luxemburg.⁸⁶

During his reign, Philip the Good succeeded in having himself declared heir of the princely houses of Namur, Brabant, Bavaria, and Luxemburg, multiplying his possessions in the Netherlands. Apart from these acquisitions, he also acquired a number of other territories. In 1435 an international congress took place in Arras, intended to put an end to the Hundred Years' War. However, its success was limited because the English contingent left the congress early. Even so, the Burgundian and French ambassadors did manage to reach an agreement. The Treaty of Arras gave Philip royal confirmation of a number of territories that were in reality already in his possession: Auxerre and Macon in the south and Boulogne, Pontieu, and Vermandois in the north. The Somme towns were a new acquisition for him, which he received as security for a sum of 400,000 gold écus. These were nine towns and castellanries on either side of the Somme, including St Quentin, Corbie, and Amiens. The treaty stated explicitly that the French crown could buy the towns back for 400,000 écus. To the enormous anger of Charles the Bold, in 1463, Louis XI managed to amass the finances needed. Two years later Charles again made them part of the union, but throughout the subsequent years they remained a bone of contention, until eventually, on the death of Charles the Bold in 1477, they were definitively returned to France.⁸⁷

⁸⁵ Würth-Pacquet, 'Table Chronologique... Charles', 2.

⁸⁶ Van Werveke, 'Definitive Erwerbung'.

⁸⁷ Dickinson, *Congress*, 162–69; Vaughan, *Philip the Good*, 98–107, 355–7.

2.4.5 The Reign of Charles the Bold and the Acquisition of Guelders and Zutphen

In a recent article, Werner Paravicini summed up the reign of Charles the Bold as follows: 'In his endless seeking after glory, he alienated the States and the towns, sowed fear, clashed with his fellow rulers, made too many demands of a far too weak legitimacy and exhausted the financial resources of his state'.⁸⁸ This is also reflected in the expansion of the union, that during the reign of Philip the Good was achieved largely through peaceful means. From the time that Charles the Bold took over the reins of government in 1465, his administration and the territorial expansion he brought about were characterized by conflict and discord: conquests rather than peaceful expansion.

A first example of his belligerent attitude occurred immediately in 1465, when he became embroiled in the *Guerre du bien public*, a conflict between the French King Louis XI and a large body of dukes and counts. After this war, on the way back to Brussels, he restored order in the principality of Liège, where the towns were revolting against his unpopular nephew Prince-Bishop Louis of Bourbon. With the Peace of Oleye (1466), Charles was made hereditary guardian of the principality. The later acquisition of the Alsace and Breisgau in south-west Germany—received in pledge for a sum of 50,000 Rhenish guilders—and of Bar and Lorraine would sooner or later end in military confrontation as well.⁸⁹

Within the Netherlands, Charles the Bold was primarily interested in expanding his territorial power to the north-east. Since 1456, the seat of Bishop of Utrecht had been occupied by David of Burgundy, bastard son of Philip the Good, who as a prince-bishop ruled over the Nedersticht and Oversticht. Although his rule can hardly be said to have been stable, these lands thus came under the sphere of influence of Burgundy. In 1469–70 representatives of the Frisian areas of Overgo and Westergo, that nourished their lordless autonomy, negotiated with Charles the Bold, who called on his position as lawful and natural prince—indeed he had inherited the title of Lord of Friesland from the house of Bavaria. In 1470 an agreement was reached to appoint a stadtholder who would oversee legal and financial matters on behalf of the duke. However, effective government of Friesland by Burgundy never actually materialized.⁹⁰ The duchy of Guelders, on the other hand, did come under Burgundian rule.

The acquisition of Guelders and Zutphen by Burgundy in 1473 arose out of events that had taken place fifty years previously, during the crisis of 1423. In that year, the childless Rainald IV, Duke of Guelders and Jülich, died, leaving three candidates for the succession. Adolph Duke of Jülich-Berg was the favourite of the deceased duke (Figure 2.9). Well in advance, Adolph had already divided Guelders with the second claimant who was related to Rainald II of Guelders via three female connections. John of Loon died in 1433, but neither John of Egmond nor

⁸⁸ Paravicini, 'Verstandige waanzin', 47.

⁸⁹ Sieber-Lehmann, *Spätmittelalterlicher Nationalismus*, 45–67; Gachard, *Rapport*, 161–2.

⁹⁰ Vries, *Heilige Roomse Rijk*, 80–4.

arrangement? Emperor Frederick III agreed to it and enfeoffed Guelders to Charles. The subjects of Guelders were less happy with the state of affairs; it took a brief battle to change their minds.⁹³

In 1473 Charles was at the height of his power. Within a short period of time he had given a new impetus to the Burgundian expansion. The territory governed by the Burgundian dynasty stretched almost from the North Sea to the Alps. But at what cost? While his father had achieved his acquisitions gradually, via diplomacy and hereditary means, Charles did not have enough patience for this. He used armed force and financial resources. However, Burgundy's power exceeded the limits of its possibilities. The first cracks appeared in 1474, when the League of Constance was founded, an alliance between Sigismund of Austria, several bishops and towns in the Upper Rhine region, and the Swiss towns and communities. Gradually this group expanded until on 18 April 1475, Duke René of Lorraine joined them. The 50,000 Rhenish guilders for which Alsace was security were repaid. Eventually the struggle against this league proved fatal for Charles the Bold. He died in 1477 in harness during an attempt to regain Nancy.

After the death of Charles the Bold, the whole Burgundian house of cards seemed to collapse. Revolts broke out everywhere, in Flanders, Brabant, Hainaut, and Luxemburg.⁹⁴ At the same time, Louis XI took his chance and conquered the duchy of Burgundy and the Somme towns. French troops occupied Franche-Comté, Artois; Guelders and Liège also withdrew from Burgundian rule. What remained after many years of conflict was a composite monarchy, not so very different from what Philip the Good had left to his son, apart from the fact that it was considerably smaller.

2.5 PATTERNS

If we take an overall view of the expansion of the union, it appears that the success of the dukes of Burgundy was more diplomatic in nature than dynastic-biological. I have already indicated elsewhere that with the exception of the counties of Flanders-Artois, the dukes of Burgundy are not regarded as 'natural princes' anywhere in the Netherlands.⁹⁵ In almost all cases there were conflicting claims, people still living who were more closely related to the original dynasties than the dukes of Burgundy, individuals who, according to the prevailing legal rules, could make well-founded claims to succession. In this context, Henri Pirenne speaks rightly of 'des droits fort contestables'.⁹⁶ Burgundian expansion was by no means always based on conquests, but it is remarkable that the internal political situation was often highly unstable shortly before the assumption of power. In 1384, the Flemish capital of Ghent was engaged in an all-out revolt against the authority of the count. Holland and Zeeland, and to a lesser extent Hainaut, were plagued by endemic partisan conflict, and also in Luxemburg and Guelders, the expansion of Burgundian

⁹³ For a brief overview, see Ehm, 'Oppermachtige buurman'.

⁹⁴ Arnould, 'Lendemaïns', 23–7.

⁹⁵ Stein, 'Natuurlijk'.

⁹⁶ Pirenne, *Histoire* I, 158.

power was played out against a background of factional discord and conflict. In some cases military intervention was called for in order to restore peace.

Closely related to this, we can determine that the formal acquisition of the principalities by the dynasty was in some cases preceded by an actual exercising of power. This was the case, for example, in Flanders, Hainaut, Holland and Zeeland, and Luxemburg (Table 2.3). Even the duchies of Brabant-Limburg could be said to have been under strong Burgundian influence since the fourteenth century.

It is apparent that the success of the House of Burgundy was largely due to financial transactions. The acquisition of principalities in almost all cases went hand in hand with the transfer of large sums of money. The purchase of Namur is, of course, one of the best-known examples: the county cost Philip the Good 132,000 gold crowns.⁹⁷ But also in other cases large sums of money changed owner. The acquisition of Limburg and the Lands of Overmaas in the period from 1387 to 1396, cost Philip the Bold 55,000 Rhenish guilders, largely in settlement of debts owed to John of Gronsveld.⁹⁸ In 1425, John IV's rights to Holland and Zeeland were taken over in settlement of a debt of some 25,000 pounds and the payment of a sum of 50,000 shields, spread over a period of five years.⁹⁹ With the Treaty of Delft Jacqueline's rights were bought for an annual sum of 16,000 shields, a year later, with the Treaty of Valenciennes, she expressed her dissatisfaction and demanded (and received) from Philip the Good an increase to 24,000 shields.¹⁰⁰ Philip suffered further expenses in acquiring the rights to Brabant owned by his Aunt Margaret. In 1434 these rights changed hands for a sum of 32,000 peters.¹⁰¹

Table 2.3. Year of effective exercise of power and formal acquisition of the most important Burgundian provinces

Province	Actual exercise of power	Formal acquisition
Burgundy	1363	1363
Flanders		
Artois	1384	1384/1391/1405
Franche-Comté		
Mechelen		
Namur	1421	1429
Brabant	1390/1430	1430
Limburg, Overmaas	1387–9/1430	1396/1430
Hainaut	1427	1433
Holland		
Zeeland	1425	1433
Luxemburg	1443	1462
Guelders		
Zutphen	1473	1473

⁹⁷ Douxchamps, 'Vente', 16'.

⁹⁸ Laurent, Quicke, *Accession*, 190–4, 189–91; Van Nieuwenhuysen, *Finances, économie*, 459.

⁹⁹ Smit, *Vorst*, 181–2. ¹⁰⁰ Prevenier, Smit, *Bronnen*, 729–30.

¹⁰¹ Devillers, *Cartulaire V*, 275–8.

Luxemburg seems in the first instance to be a source of income for the House of Burgundy. The duchy served as security for the dowry of Elisabeth of Görlitz to the value of 120,000 Rhenish guilders. Later, it appeared that the actual takeover was to cost much more. In 1442 Philip paid Elisabeth, besides an annuity of 7,000 Rhenish guilders, a sum of 18,000 Rhenish guilders. This did not give him the ducal title, but it did give him *de facto* power. As I indicated, Anna of Luxemburg and William of Saxony subsequently received 40,000 Rhenish guilders.¹⁰² The acquisition of the ducal title of Gelre cost money: all together 380,000 Rhenish guilders.

The sums that Philip the Good and Charles the Bold expended on acquiring the legal titles were moreover just a hint of the total costs of the incorporation of the principalities. The duchy of Luxemburg is an example. In 1455, that is, before the payment to Anna and William, the audit office estimated the costs up to that point to be 524,000 Rhenish guilders. The rumour circulated that the actual amount was even higher, in the region of 800,000 Rhenish guilders, but this amount probably also included older sums that Anton of Brabant had paid in 1412–14 to acquire the duchy. On the other hand, the sums mentioned did not take into account the fact that large parts of the land and the princely domains served as security for a sum of around 150,000 Rhenish guilders.¹⁰³ The financial situation in most other provinces was perhaps slightly less disastrous. I will return to this in Chapter 4.

Naturally the dukes did not pay the costs for the acquisition of the principalities, or at least, they certainly did not pay them completely from their own resources. The acquisition of Limburg and Lands of Overmaas were funded partly by the Flemish subjects. In February 1421 the Flemish Members again provided an aid of 150,000 crowns, partly to cover the 135,000 crowns needed for the acquisition of Namur.¹⁰⁴ Even though in the spring of 1425 these same Members refused to supply troops for the elimination of Jacqueline of Bavaria and the takeover of Holland and Zeeland, they did approve a large sum for this purpose so that Philip could recruit troops himself. The Artois subjects also made a modest contribution.¹⁰⁵ The people of Brabant were obliged to provide the 32,000 crowns that Margaret received in 1430 for her legal titles to the Brabant succession.¹⁰⁶ The acquisition of *de facto* power in Luxemburg in 1443 was a project that was supported by the financial resources of several provinces. The States of Brabant made an amount of 176,000 golden riders available to Philip the Good, Hainaut 26,250 pounds and later a further 21,500 pounds. In 1462 the duchy of Burgundy even provided an amount of 18,800 pounds to obtain the legal titles to Luxemburg, and a loan was

¹⁰² Van Werveke, 'Definitive Erwerbung', *passim*; Vaughan, *Philip the Good*, 274–85; Würth-Paquet, 'Table Philippe, 1457–1462', 112–18 nr. 192; compare: Du Fresne de Beaucourt, *Histoire III*, 310–11, 316.

¹⁰³ Van Werveke, 'Definitive Erwerbung', 71, 85.

¹⁰⁴ Blockmans, *Volksvertegenwoordiging*, 610. The aid was also intended for the investiture of the prince and for the war in France. The considerable financial contribution from the Flemish Members is an explanation for the remarkable stipulation in the sales treaty that the offices in Namur could only be held by inhabitants of Namur and Flanders. Douchamps, 'Vente', 153.

¹⁰⁵ Blockmans, *Volksvertegenwoordiging*, 610–11, 638. Artois gave an aid in 1430 of 25,200 pounds for the war in Holland: Zoete, *Beden*, appendix III.

¹⁰⁶ Devillers, *Cartulaire V*, 277.

also expected from the Hollanders.¹⁰⁷ A large proportion of the 380,000 Rhenish guilders that were still needed for the purchase of Guelders was levied from the inhabitants of the duchy, in the form of a fine of 250,000 Rhenish guilders.¹⁰⁸ The Brabant towns of Leuven, Brussels, Antwerp, 's-Hertogenbosch, and Mechelen loaned Charles an amount of 80,000 Rhenish guilders to acquire the rights of Gerald of Jülich-Berg.¹⁰⁹

Financial transactions were far more important in the unification than military action—at least in the twenties and thirties. Philip the Good was able to occupy Namur, Brabant, and Limburg without any difficulty. In order to incorporate the principalities of Jacqueline of Bavaria, military means had to be deployed, but in Hainaut this was primarily a struggle against an invading army led by Humphrey of Gloucester, and in Holland it was in essence to pacify the endemic Hook and Cod disputes. From the forties things were different: both in Luxemburg and in Guelders the Burgundian expansion led to serious resistance, necessitating the deployment of troops. One explanation for this is that in around 1440, the Burgundian option had suddenly become less attractive. The attitude of the inhabitants of these countries reflected a much older resistance against the advancing influences from the west.¹¹⁰

A final point is that the recognition of the position by the subjects was crucial for the establishment of Burgundian power. It was not the formal rules of hereditary law, not the enfeoffment by the emperor or the king, and not even the financial transactions that formed the basis of Burgundian power. The key lay in the fact that the subjects—or at least the political elite that was represented in the representative institutions—were prepared to accept the dukes as their lord. Much more than the popes, emperors, or kings, it was the subjects who determined whether or not the rights were valid. At the inauguration or investiture of the prince, they legitimized the succession as Count of Flanders, as Count of Holland, as Duke of Brabant, etc.

2.6 CONCLUSION

The House of Burgundy was the only binding factor between distant principalities such as Franche-Comté and Zeeland, Luxemburg, and Artois. In 1468 this was depicted on the panel installed on the ducal palace in Bruges. Now there were only two princely houses active within the geographic area of the Netherlands: the Houses of Burgundy and Guelders. Several years later the last of these would temporarily

¹⁰⁷ Brussels Royal Library, ms. 17.010, 344–51; Brussels AR, CC 16, f. 18r–20v; CC 15.723/I, f. 1r–2v; CC132, f. 108r–109v; The Hague Royal Library, ms. 131 B 26/2, f. 416r–418r; Cuvelier, *Dénombrements* I, CXLII–CXLIII; Blockmans, *Volksvertegenwoordiging*, 612. Smit, *Bronnen* II, 787–93, no. 892. Such loans were a common occurrence. In 1473 Charles the Bold asked Leuven, Brussels, Antwerp, 's-Hertogenbosch, and Mechelen for a loan of 80,000 Rhenish guilders to acquire the rights of Gerard of Jülich to Guelders. Leuven City archives, Oud archief 3262–72 (Cuvelier, *Inventaire Louvain*).

¹⁰⁸ Van Schaik, *Belasting*, 66.

¹⁰⁹ Vaughan, *Charles the Bold*, 120.

¹¹⁰ Stein, 'Lotharingia in Burgundian times'.

leave the scene, and only the House of Burgundy would remain. A century earlier this area was governed by seven different princely houses. Only the acquisition of the Flemish inheritance proceeded according to normal dynastic procedures: Flanders, Artois, Franche-Comté, etc. passed to the House of Burgundy through the marriage of Philip the Bold to heiress Margaret of Male. The inability of the dynasties of Namur, Brabant, and Hainaut-Holland-Zeeland to reproduce was the direct impetus for the takeover by Burgundy. Dynastic problems were also the cause of the takeover of Guelders. The House of Burgundy continued to demonstrate its willingness to fill the power vacuum. Is it any wonder that Johan Huizinga, Richard Vaughan, and more recently, Bertrand Schnerb emphasized the centre, the role of the dukes of Burgundy, the creators of the *l'état bourguignon*?

In this chapter I have chosen the same starting point. The Burgundian dynasty was at the core, and I have traced how the dynasty managed to unite the different principalities under its rule. My approach was purely instrumental: by what means did the dukes of Burgundy acquire their legal titles, which dynastic and diplomatic lines connected them with the orphaned principalities? One of my findings is that the Burgundian claims were highly dubious. This does not apply to the acquisition of the most important principalities in France—the duchy of Burgundy, the counties of Flanders and Artois—but it does apply to those within the Empire. The rights to Namur, Brabant-Limburg, Hainaut-Holland-Zeeland, Luxemburg, and Guelders were weak, particularly because the Burgundian dynasty did not descend through the male line from one of the princely houses, and because the emperors and kings of the Romans refused to legitimize their acquisitions.

In many cases the definitive acquisition of the legal titles was preceded by a de facto takeover of power—which was expressed as the contradiction between *seigneur par manière de gagière* and *seigneurs héritiers*. This was not only the case in Luxemburg but also in Hainaut, Holland, and Zeeland, where the Burgundian influence was dominant from 1425, and possibly even earlier, while the transfer of the legal titles only took place in 1433. Namur had already subjected itself to the Burgundian straitjacket in 1421. In almost all cases, enormous sums of money were involved in the acquisition of the principalities, on the one hand to buy off competing claims, and on the other to relieve the existing debts. In most cases the Burgundian dynasty did not pay these sums itself, but shifted them to its subjects.

The conclusion that can be drawn is that the dukes of Burgundy made systematic use of the opportunities offered them by circumstances. Acting and negotiating, promising and threatening, and above all buying, they brought together a rich body of different principalities, located in two kingdoms, two or three language areas, belonging to a large number of bishoprics and archbishoprics. In this expansion they were dependent on recognition by the subjects and the support formed by the regional representative institutions. I will address this in Chapter 3. In Chapter 4, I will look beyond the instrumental and primarily seek the causes and backgrounds for the Burgundian expansion. A key question here is why the dukes of Burgundy were successful in having their claims prevail over what were in many cases more substantial claims?

3

The Representative Institutions

3.1 INTRODUCTION

October 1312. Crisis in Brabant. Following a long illness, Duke John II died, aged thirty-seven. He was succeeded by his son John III, who was just twelve years old. The young John was by no means old enough to govern the country on his own, and after a six-month power vacuum, two regents were appointed to act on his behalf. Their policies proved to be at odds with the wishes of the towns, and less than two months later, the town of Leuven concluded a series of agreements with the main towns in the duchy to unite in providing John with their combined support: 'Because of the good affection and the great friendship and trust that we have always cherished, and will always cherish, for our dear lord, the duke, and because concord in the country is very much in his interest'.¹ The impetus for and the result of this event are revealed by the Antwerp town clerk Jan van Boendale. In the past, he explained, Duke John's predecessors had amassed enormous debts abroad. Now that the duchy was being governed by an underage—and therefore weak—ruler, his creditors were trying to recoup their debts from Brabant merchants. After a year the towns took action. They offered to provide the duke with an aid of 40,000 pounds to settle the debts, but in exchange, they demanded control of his ducal council for six years, until he came of age:

The towns addressed the lord and said that, if he would transfer his council in full to them for the duration of his minority, all the debts his father had incurred would be settled. He himself would suffer no disadvantage from this. They persevered so long that the duke eventually transferred his council to the town's representatives. And as sensible men, they immediately paid the debt so that the merchants could travel to any place they wanted for their trade, without their property being seized to recoup the debts.²

¹ *Den luyster* I, 75–6.

² 'Ende [de steden] trocken ane dien here, / Ende seiden: eest dat hi kere / Sinen raet aen hen algader, / Al die scout, die sijn vader / Schuldich bleef, dien willen si / Ghelden, die wile dat hi / Jonc es, ende leeft als een kint, / Soe dat hem er scade twint. / Nochtan al metten sinen / Soe langhe si hieromme pinen, / Dat die hertoghe sette sinen raet / Ane sine porteren, dat verstaet... / Ende die porteren, alse liede vroet, / Queten die scout, al sonder sparen, / Soe dat die coepmanne mochten varen / Om haer neringhe, waer si wouden, / Onghepant ende ongehouden.' *BY* V, vs. 711–72; compare: Avonds, *Brabant... krisissen*, 34–75.

The agreements were set out in 1314 in the so-called Walloon Charter. This charter and certainly the memory of the events during the first years of John III's reign would serve for many years as a standard for the relations between the dukes of Brabant and the representative institutions within the duchy.³

The relationship between the prince and the representative institutions is often characterized as fraught with confrontation and a persistent struggle, where the power of the ruler was constantly being curbed by his subjects.⁴ The disposition of the Brabant towns in 1312 makes it clear that this was—in any event at that point in time—an oversimplification: there was no question of any opposition, the towns actually united around the prince. This situation was not an exception; a similar scenario would be repeated in 1370, shortly after 1415 and again in the 1420s. The towns continued to demand a say in the provincial administration, generally in exchange for their financial support. The events in Brabant give a good insight into a number of factors that can also be seen elsewhere: the importance of urban leagues, the significance of aids for exercising power, and above all the position of the prince in the political arena. The representative institutions play a significant role within the context of this book. They held the key to provincial power: they determined the fate of the Burgundian claims to the hereditary succession and even after the takeover, they were of crucial importance for the further expansion of Burgundian power. The development of the representative institutions, the later States, is the subject of this chapter.

3.2 STATES AND ORDERS

3.2.1 The States

In the late Middle Ages, there were representative institutions in all principalities of the Netherlands; it was these institutions that entered into dialogue with the prince on behalf of his subjects. The adjective *representative* is derived from the classical Latin *repraesentare*, to place something before the eyes or to depict something. In fact, representation is about making someone present who is actually absent. For centuries this meant a clear, natural hierarchy: the head represents the body, the father the family, the abbot the monastery. In the late Middle Ages, however, representation was often related to a type of election, whereby a community issued a mandate to a delegate to speak on its behalf. This interpretation can be found in the writings of Thomas Aquinas, for example.⁵ Although his work was well known in the Netherlands, it was a long time—around the start of the fifteenth century—before a Middle Dutch mention of the term *to represent* appeared for the first time. One century later, in 1503, the expression was used very explicitly by the Flemish writer Philip Wielant, when he indicated the punishment that would be meted to

³ The Joyous Entry of 1356 included a reference to the Walloon Charter: Van Bragt, *Blijde Inkomst*, 105.

⁴ Wellens, *États Généraux*, 89; compare: Dhondt, 'Ordres', 29; Gresser, *Franche-Comté*, 236–9.

⁵ Guenée, *Occident*, 245–51.

rebellious governors and officers, 'who represent the body of the town'.⁶ Communities could mandate an individual to speak on their behalf at all levels: in villages, towns, regions, and water boards. Wim Blockmans refers to this as a representative pyramid.⁷ Although there were many different forms of local participation, this chapter is about the top of the pyramid: the representative institutions that acted as *pars pro toto*, as spokesmen for the *res publica*, as the voice of the community, in some instances as the voice of the provincial orders, authorized to enter into dialogue with the prince on behalf of the community of the realm.⁸ In this sense they formed the counterweight to the prince's power, although the relationship was more complex than a simple opposition, which is how some authors like to describe it. The word *representation* is used here; however, it should not be equated with representativeness in its modern sense, let alone with proportional representation. The spokesmen were appointed through very diverse structures of consultation, almost always resulting in the nobles, clergy and urban elites, entrepreneurs, merchants, and patricians being well represented. The craftsmen, farmers, and proletariat on the other hand were barely represented at all.

The use of the term *institutions* is questionable, but is nonetheless dictated by the lack of any serviceable alternative. Today, institutions tend to be associated with a strict organization, a fixed location, and a clear staffing structure. Modern representative institutions are often identified with particular buildings, such as the Houses of Parliament, and their equivalents the Binnenhof (in the Netherlands) and the Reichstag (in Germany); they have a clearly defined staffing structure and a high degree of continuity. In the late Middle Ages, meetings were indeed held in all provinces of the Netherlands that presented the interests of the subjects in a dialogue with the ruler, but this is where the similarity with modern parliaments ended. The meetings in the Middle Ages were not bound to a set location, but took place at assemblies, often held in the regional centres of government, for example in Dijon, Lille, The Hague, Brussels, or Mons and frequently in many other towns, in town halls or religious institutions. In Brabant, the abbey of Kortenberg—halfway between Brussels and Leuven—was a popular meeting place; in Ghent, the assembly attic of the town hall; in The Hague, the Kloosterkerk; and in Namur, the town hall.⁹ The assemblies were not scheduled regularly: the place and time were in most cases set by invitation of the prince, as were the composition and size of the delegations.¹⁰

⁶ *Lexicon Latinitatis*, s.v. Probably the oldest mention can be found in the *Vocabulairus copiosus*, a dictionary that appeared in print in 1483, but that may refer back to an older text dating from 1400. Wielant, *Instructie*, 157.

⁷ Blockmans, *Volksvertegenwoordiging*, 107.

⁸ Compare the definition by Walter Prevenier for the three Flemish States: 'What is important is that the clergy, the nobles and the towns act as clear spokespersons for the respective order at a joint assembly. They made up a college, composed according to the classical pattern of the three social groups.' Prevenier, *Leden*, 61–7.

⁹ Blockmans, *Volksvertegenwoordiging*, 259–67; Kokken, *Steden*, 131–3; Uyttebrouck, *Gouvernement*, 432–3; Pierard, 'États', 94. From 1436–7 there was an 'States chamber' at the Binnenhof in The Hague, where the States of Holland could discuss the political situation and determine their position: Smit, *Bronnen*, II, 1, XI–XII; Henin, *Pouvoirs politiques*, 171.

¹⁰ Compare: Blockmans, *Volksvertegenwoordiging*, 221–4, who indicates that a great number of assemblies were organized by the Flemish Members themselves.

However, the prince himself was rarely present at the meetings, preferring to leave negotiations to his officials.¹¹

The representative institutions in the Middle Ages were often referred to as the States or the three States. The term *States* or '*Estates*' derives from the Latin *status*, which means social position, class, and estate. The Dictionary of Medieval Dutch gives the following definition: 'status, estate, the external circumstances of a person related to his birth, the circles in which he moves, or the employment he holds'.¹² As a political concept, *States* refers back to the États, that began to appear in different places in France from the middle of the fourteenth century. Within the Netherlands, the term was first used in Liège in 1373. It was introduced into the Dutch-speaking provinces by the dukes of Burgundy. An initial mention of the 'Trois Estas du pays de Brabant' occurs in a letter dated 4 April 1398 from a Burgundian ambassador to Philip the Bold, when the Duke of Burgundy asked the people of Brabant—in vain—for a contribution to the ransom for his son John, later John the Fearless, who had been taken prisoner in the battle for Nicopolis. A first Middle Dutch mention does not occur until eight years later, in 1406, in the administration of the duchy of Brabant; several months later, in a list of complaints dating from February or March 1407, the three States themselves use the term for the first time.¹³ In Flanders, *States* was first used in 1407; in Zeeland, not until 1460.¹⁴

The States are commonly associated with the number three, in line with the descending hierarchy of the traditional medieval orders, with the clergy as the first order, followed by the nobles in second and the remainder in third place. This 'remainder' can be indicated as the commons. In practice it comprised the towns, sometimes supplemented by the privileged communities and villages. Although it may seem obvious that the representative institutions were made up of the three classical orders, this is by no means the case. Otto Hintze distinguished as early as 1931 a bipartite and a tripartite system. A subdivision into three orders existed mainly in the larger part of the Empire and in France, whereas the representative institutions in England and Scandinavia consisted mainly of two orders: the nobility and the commons.¹⁵ We will see that in the Netherlands there were not always three orders; rather, the clergy was frequently absent, which in practice meant that representation was limited to the nobility and the towns.

By acting collectively, the three orders—in the northern Netherlands towns and nobles—gained clear advantage over the individual orders; their joint action gave them the legitimacy to represent the community of the realm. This was the

¹¹ Kokken, *Steden*, 134; Blockmans, *Volksvertegenwoordiging*, 217–18.

¹² See *MNW* s.v.

¹³ Froissart, *Oeuvres* XVI, 264–7. At almost the same time a Burgundian ambassador held a speech on behalf of Philip the Bold before the 'Estas du pais' in order to express his right to the Brabant legacy (ibid. XIII, 344; for the dating, see Stengers, 'Philippe le Hardi', 400–1 and n. 3). For the complaints list of 1407: Stein, 'Vergeten crisis', 429 and *passim*. A short while before, on 19 December 1406, Duke Anton promised to transfer to the Brabant States copies of a number of charters: Verkooren, *Inventaire... Brabant* III, 3, no. 8257. Compare: Uyttebrouck, *Gouvernement*, 434 and n. 28.

¹⁴ Compare for this and alternative dates: Prevenier, *Leden*, 24; Dhondt, 'Assemblées', 214–15; Jansma, *Raad*, 59; Smit et al., *Bronnen... Zeeland* I, X.

¹⁵ Hintze, 'Typologie'.

case even at an early stage during the first appearance of the three orders in Flanders in 1127–8.¹⁶ It may be that the Flemish example is chronologically isolated, but the principle still applied in the fourteenth and fifteenth centuries. Albert of Bavaria, for example, granted a privilege to his Hainaut subjects, at the request of ‘les prélas, collèges, nobles et boines villes de nostredit pays, au nom et pour tout le corps et communaulté de celui pays’.¹⁷ The events that occurred in Brabant in 1416 are in this respect equally interesting. At that time the duchy was governed by the three orders that were acting as regents for Duke John IV, exercising governmental authority on his behalf. Sigismund, King of the Romans, was displeased with the course of events and sent a legation to the States to demand Brabant for himself. The States asked for a delay, probably to gain time, but they used a formal argument:

As the case that they [the ambassadors] had brought forward was complex and difficult, and in particular the circumstances related to their lord, Duke John, his land and his majesty, they would present the points mentioned to Duke John and his ‘Common Land’; because the three orders were not all present together, in view of the fact that only three prelates of the first order were present, moreover there were but few bannerets and no more than four towns.¹⁸

The members of the States who were present thus refused to speak on behalf of the community of the realm because not enough representatives were present. Only if this condition were met could they take crucial decisions regarding the duke and his land.¹⁹ Even in insignificant Namur, the three orders represented the county, as is apparent at the time of its sale to Philip the Good in 1421. This transfer was approved by a number of abbots, provosts, and deacons on behalf of all the clergy, by several noblemen in the name of others of their order, and by the bailiffs and aldermen of Namur and Bouvines on behalf of these and the other towns in the county. Together they recognized Philip the Good as the legitimate new count ‘pour et au nom de nous et generalement de tous les manans et habitans de ladite comté’.²⁰ In provinces to the north of the Meuse and Rhine rivers, where the bipartite model of England and Scandinavia was more common, the States were formed by the nobles and the towns. The reason for this was the small number of significant clerical institutions in these provinces and the limited presence of clergy in the count’s council in the fourteenth century.²¹ The county of Flanders was an exception on

¹⁶ Dhondt, ‘Assemblées’, 182, 226–7.

¹⁷ Devillers, *Inventaire*, xxix–xxx. The ‘prélats [and] collèges’ together made up the first order.

¹⁸ ‘Want groot ende lastelijc ware / Die zake die si op hadden ghedaen, / Ende zunderlinghe ghinghen aen / Die saken, in allen keere, / Hertoghe Janne haren heere, / Sinen lande ende sijne heerlijkheit: / Soe soudén si die poenten voorseit / Hertoghe Janne in allen dinghen / Ende sinen ghemeinen lande aenbringhen; / Want die drie Staten volcomelijc / Daer niet en waren samentlijc / Ghemerct dat van den hooghsten state / Daer niet en waren dan vier prelate, / Ende luttel baenrotsen mede, / Ende niet meer dan vier stede.’ *BYVII*, vs. 6216–29.

¹⁹ Compare: Uyttebrouck, *Gouvernement*, 447–8; for Holland and Zeeland: Kokken, *Steden*, 10.

²⁰ Gaillard, *Histoire* VI, 120–4; compare: *ibid.* II, 138–9; Douchamps, ‘Vente’, 162–4; Henin, *Pouvoirs politiques*, 159–85.

²¹ Brokken, *Ontstaan*, 158–9; Kokken, *Steden*, 29. Jongkees (*Staat*, 206–13) pointed out correctly that the clergy was not completely absent, but only acted incidentally together with the two worldly

different grounds, at least in the late Middle Ages. Although the first and second orders also occasionally acted in the States of Flanders, the representative power there was overwhelmingly in the hands of first three and later four Members, composed of the towns of Ghent, Bruges, and Ypres and their surrounding area. To reduce the power of these towns, Philip the Bold added the agrarian Franc of Bruges as the fourth Member. The dominance of this body of Members was such that even in 1482, it could claim to present the Common Land, 'tsamen presenterende... tghel lichame slands van Vlaendren'.²²

In the fourteenth and fifteenth centuries, the representative institutions were active players in the politics of the duchies and counties of the Netherlands. Table 3.1 indicates the number of assemblies of representatives that were held in the most urbanized regions of the Netherlands. It is an impressive record: in particular, the representatives of the towns—the aldermen, mayors, and pensionaries—travelled ceaselessly throughout the provinces to hold meetings with their fellow countrymen.

Flanders had on average thirty-two assemblies a year; Holland had nineteen; and Brabant sixteen. The assemblies could last from three to five days, which, together with their frequency, gives them a semi-permanent status. The data for Holland and Zeeland indicate that the number of assemblies increased during the Burgundian period. In Holland an average of sixteen sessions were held every year in the first decade of the fifteenth century; fifty years later, this number had risen to thirty-five (Figure 3.1).

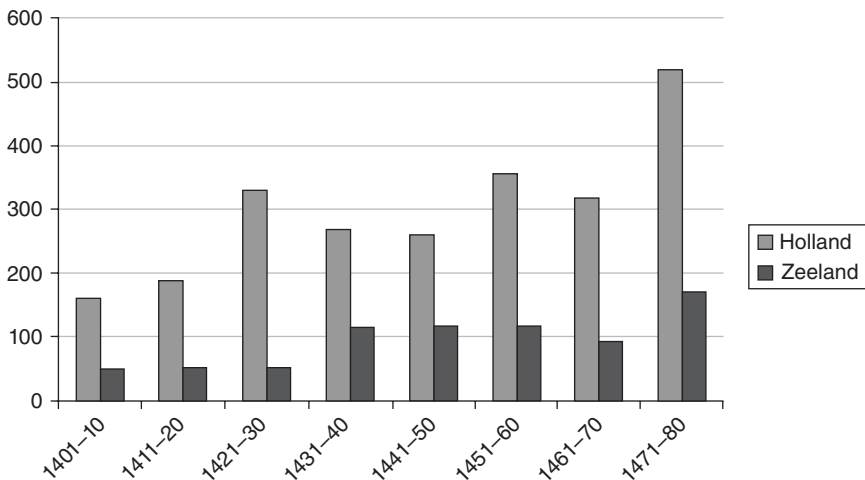


Figure 3.1. Number of assemblies of the States of Holland and Zeeland, 1401–80²³

orders. On the other hand, it is interesting that the absence of the clergy shows a clear similarity with the situation in England and Scandinavia; compare Ertman, *Birth*, 21–2; Janssen, 'Niederrheinischen Territorien', 143–4.

²² Blockmans, 'Autocracy', 314.

²³ Based on: Prevenier, Smit, *Bronnen* I, 1, 108–45; *Bronnen* II, 1, LXII–CXXVII; *Bronnen* III, XXXVIII–LXI; *Bronnen* IV, 2, 1–284.

Table 3.1. Number of assemblies in Flanders, Brabant, and Holland, and the participation by the different orders²⁴

Province	Period	Total	Orders present			
			First order	Second order	Third order	Towns alone
Brabant	1356–1430	1229	200	287	1199	927
Flanders	1384–1506	3977	172	161	3957	3799
Holland	1304–1494	3688	–	482	3564	3206

Table 3.2. Number of assemblies of the states of Guelders, 1471–9²⁵

Year	No. of assemblies	Year	No. of assemblies	Year	No. of assemblies
1471	13	1474	2	1477	14
1472	14	1475	0	1478	11
1473	12	1476	2	1479	10

Developments in Guelders were very different during the brief period that it was under the rule of Burgundy. The violent annexation of the duchy in 1473 led to the almost complete disappearance of the States; they were reinstated following the duchy's independence in 1477 (Table 3.2).²⁶

The dominance of the Flemish Members as representatives for the provincial population was unique in the Netherlands, but if we look at the participation of the different orders in the representative institutions, the towns of Holland and Brabant closely equalled those of Flanders. In these three provinces, the towns were almost always involved in the assemblies, while the clergy and nobles only participated incidentally (Table 3.1). The history of the representative institutions can therefore in fact only be written based on the third order: the large, increasingly wealthy towns held the key to power.

3.2.2 The Third Order

The representative institutions were, of course, not founded expressly; in practice, they evolved gradually because ruler and subjects felt the need to have a dialogue with one another. In a quest to ascribe venerable roots to our modern state institutions,

²⁴ Blockmans, *Volksvertegenwoordiging*, 197, 214–16; Uyttebrouck, *Gouvernement*, 459; Kokken, *Steden*, 134–5; Janse, *Ridderschap*, 382–3; Smit, *Bronnen* II, 1, lxii–cxxxvii; Blockmans also included the presence in the States-General. These have been excluded here. For the data on Holland in the early sixteenth century, see: Ward, *Cities*, 100–9. The numbers of course relate to the strongly urbanized western parts of the Netherlands. In Luxemburg the role of the nobles was much greater, and that of the third order much smaller: Péporté, *1453 Rebellion*, 8.

²⁵ Van Gent, 'Landdagen'.

²⁶ Blockmans, *Volksvertegenwoordiging*, 201; Kokken, *Steden*, 128–9. The details of Prevenier, *Handelingen*, Blockmans, *Handelingen*, Zoete, *Handelingen*, and Uyttebrouck, *Gouvernement*, cannot be used because they lay the starting and end point exactly at the Burgundian take-over. The information from Hirschauer, *États* II, 7–41 appears to confirm the impression of continuity.

the princely assemblies or councils were often cited as the birthplace of representation, but in fact, the rise of the third order was the consequence of two different developments: on the one hand, there was the desire of the ruler to involve the towns in government, and on the other hand, it was an autonomous process.

On the basis of the *consilium*, the counsel that the vassals were obliged to provide, the prince assembled a number of noblemen around him in the *curia*, who advised him on important decisions. The clergy gave him advice, as well, in return for the favours that they had received in the past.²⁷ The clergy and vassals were part of the so-called inner council, that in the early and high Middle Ages constituted the necessary sounding board for princely decisions. In the late Middle Ages, they no longer provided enough impact. The social relationships changed, the territorial administration became more complex, and the prince used the power of the towns to break that of his vassals. Naturally, financial aspects also played a role. The prince became increasingly dependent on the financial support of his subjects, this support coming in particular from the towns. The ruler wanted to broaden the circle of his advisers on important issues, at inaugurations and other celebrations, not so much in order to receive better advice, but to strengthen his political support in the community.²⁸ The 'inner council' developed into a 'broad council', where both continued to exist in parallel, although the broad council would never attain the intense and personal contacts that the inner council had with the ruler. As an extension of their advisory role, the representatives of the orders acquired an increasingly political role: 'the consilium obligation of a vassal [was] factually transformed into a consilium right for non-noble subordinates'.²⁹

An example of the advisory role of a broad council occurred in Hainaut, Holland, and Zeeland during the dramatic circumstances of the 1360s, when Count William V was no longer able to exercise power over these counties because of a mental disorder. In 1364, King Edward III of England tried to strengthen his influence by reviving his wife's claims to the inheritance. In response, William's brother Albert summoned the nobles and towns of his provinces to advise him on the hereditary status of the lands and on the question of whether the three counties had to be inherited as a whole or whether they could be split up. The nobles and towns questioned elderly men from all possible corners of the provinces. The following comes from the report of the discussions in Holland-Zeeland: 'We talked with and gained the advice of the oldest and wisest men we could find, each in the place where he has settled.' Given the balance of power at the time, the outcome was no surprise:

We found that the counties have never traditionally been divided nor obliged to be divided. And with our good logic and our five senses we cannot in any way decide or observe that anybody has any right to the counties of Holland, Zeeland and Friesland

²⁷ Hoppenbrouwers, 'Middelceeuwse medezeggenschap', 137–8; Lousse, 'Staten', 214–15.

²⁸ Strayer, 'Statute', 6; Lousse, 'États', 7–8; Prevenier, 'États', 32; Piérard, 'États', 65–6.

²⁹ Hoppenbrouwers, 'Middelceeuwse medezeggenschap', 138.

than our lawful lord Duke William, with Duke Albert as regent as long as William lives and is sick.³⁰

In many provinces, the towns indeed first assembled at the request of the sovereign. In 1191 the Flemish towns are mentioned as security in a peace treaty between their count and the King of France. A short while later, in 1194, these same towns again appeared, now with the addition of Brabant, Hainaut, and Namur, as witnesses to a peace treaty between Henry III of Brabant and Count Baldwin of Flanders and Hainaut.³¹ Two years later, the city of Utrecht was mentioned for the first time as a witness in an arbitration decision relating to a dispute between a Utrecht chapter and a number of citizens. Holland and Zeeland did not follow until much later, in 1276, when Floris V asked them to consent to a number of privileges that he wished to grant to merchants of the IJssel towns.³²

The collective gatherings of the towns concealed an older, local development. To find out more about this we have to go back to the corporations, confederations, or brotherhoods dating from the eleventh and twelfth centuries, the *gildae, confratriae, conviviae*, that may well represent one of the most characteristic legacies of the Middle Ages. Groups of people, often only men, although in some cases women were included, joined forces to create mutual support groups. The members promised to support one another in case of sickness or old age. They formed a brotherhood, on the one hand, supplementing the existing family relations, on the other, as an alternative to the feudal relations that had dominated Europe from the ninth century. The members of the corporations did not necessarily have the same social status. Typically, the binding oath related to the group and its members, rather than a leader, the keywords being 'brotherhood', 'friendship', and 'unity'.³³

There were many different types of corporations. The best known are the craft guilds that appeared around 1100 in the Rhineland and that spread from there throughout Europe, but there were also corporations of traders and religious brotherhoods.³⁴ In a number of cases, these brotherhoods also were the basis on which towns developed. From the eleventh century, brotherhoods emerged in different parts of Western Europe, often referred to as *conjuraciones* or *conspirationes*

³⁰ Prevenier, Smit, *Bronnen* I, 2, 230–1, no. 316; for the political situation: Smit, *Vorst*, 130–6; Van Riemsdijk, *Tresorie*, 104–5; Blok, 'Eerste regeeringsjaren', 269–71. At the same time a similar procedure took place in Hainaut, see the 'commun parlement' that took place there in May 1364, where the 'anciens sages et coutumiers doudit pays de Haynnau' provided advice: Froissart, *Oeuvres*, VII, 318–21.

³¹ Reiffenberg, *Monuments*, 317–19. Even earlier we come across individual citizens as witnesses, for example, in a Liège charter dating from 1096. In that same year, twenty citizens from Liège appeared as witnesses in a deed of Bishop Otbert, who sold two mills to the church of Our Lady in Maastricht: Bormans, *Recueil*, xxxi.

³² Nikolay, *Ausbildung*, 57–9; Van Uytven, 'Stedelijk leven', 246; Kokken, *Steden*, 9, 17, 23; Coenen, *Graaf*, 142–3; Dhondt, 'Origines', 73; 'Assemblées', 214; Blockmans, 'Vertretungssysteme', 182–3; Bocage, 'États', 69; Arnould, *Dénombrements*, 41; Alberts, 'Middelleeuwen', 63; Flink, Thissen, 'Gelderse steden', 212; Prevenier, Smit, *Bronnen*, 1.

³³ Black, *Guild*, 4–6, 13; Coleman, *History*, 37–8; Canning, 'Law', 473–4; Isenmann, *Deutsche Stadt*, 210–14.

³⁴ Compare: Trio, *Volksreligie*, 42–4.

(literally plots or conspiracies), of freemen, semi-freemen who had fled, and slaves, who settled somewhere because they preferred the uncertainty of communal existence above the certainty of lack of freedom in feudal society.³⁵ Unlike the feudal system, with its essentially hierarchical structure, these brotherhoods were more egalitarian: the communities were cemented by a mutual oath of faith, taken among equals. The key to such brotherhoods was the 'harmony' that applied to all citizens, which initially meant all members of the *conjuratio*: 'Le but de la commune... est de protéger les habitants, de faire régner l'ordre et la justice'.³⁶ As early as the start of the twelfth century, Guibert de Nogent recognized the nature and strength of the urban *conjuratio* in Laon, when he recorded at length how the local craftsmen felt a bond with their brotherhood: after an incident of wrongdoing, they banded together, and there was no beer to be had in the whole town.³⁷

Under the influence of princely attempts to structure provincial society, these often informal communal agreements lost much of their significance in the twelfth and thirteenth centuries, and were replaced by urban organizations with a more formal structure. In some instances the *conjuraciones* were given their own charter by the ruler. In 1114, for instance, Count Baldwin of Hainaut granted town privileges to Valenciennes. We can assume that the core of the Valenciennes' urban community was formed by the *frairie* that is mentioned as early as 1067, a brotherhood of merchants, primarily intended to provide mutual support in the event of calamities.³⁸ From the twelfth century onwards, many towns in the southern Netherlands developed their own administrative structure, in the form of a town council. With a few exceptions, the northern Netherlands followed a century or so later. The common interests were represented by a council made up of inhabitants that was appointed largely by the citizens themselves. The recognition of the town and its administration by the prince was an important basic principle for these bodies to be able to act in negotiations.³⁹

Nonetheless, it is important not to idealize the concept of the *conjuratio*. There were grinding social differences in the towns; they were typically cauldrons of protracted, centuries-old factional and party oppositions. Although there were diverse forms of local administration and justice, these were in most cases determined by the council of aldermen, later supported by a few more specialist magistrates, for example, the burgomasters who maintained order and the treasurers who managed the finances. In most towns the administration was dominated until the fourteenth century by a patriciate, an oligarchical aristocracy consisting of a very small number of families who were descended from the oldest inhabitants of the towns; in the south they were often organized in so-called lineages. Their income came from land ownership and trade. However, as a result of the so-called democratic revolutions of the thirteenth and fourteenth centuries, the organized craftsmen gained

³⁵ Black, *Guild*, 12–31 and *passim*; Vermeesch, *Essai*, *passim*; Van Uytven, 'Stedelijk leven', 214–15; Blockmans, *Metropolen*, 79–84.

³⁶ Vermeesch, *Essai*, 182; Isenmann, *Deutsche Stadt*, 210–14.

³⁷ Guibert de Nogent, *Autobiographie*, 320, 333.

³⁸ Godding, Pycke, 'Paix', 33 and *passim*.

³⁹ Van Uytven, 'Stedelijk leven', 224; Blockmans, 'Representation', 33.

greater influence. This development may have resulted in broader social support, but did not lead to any form of democracy; what developed was, according to Raymond van Uytven, a plutocracy. The official functions were unpaid, and only the rich masters of the guilds could allow themselves to play a political role. What may be even more important is that there was enormous diversity among the craft guilds themselves: the proletarian and large-scale cloth guilds could in no way be compared with the elite crafts of the goldsmiths, saddle makers, etc., although they had an equally large number of representatives. The great mass of the urban proletariat, not organized in any form of guild, had absolutely no influence in the town administration.⁴⁰ This can be illustrated by the situation in Leuven, where in around 1400, only 6 per cent of the aldermen were appointed from the lowest tax group, a pattern that was mirrored in Namur, Mechelen, Courtrai, Bruges, Ghent, Dordrecht, and Leiden. And even then we are only taking into account those citizens who paid tax. The group that was not in a position to pay tax is hidden from our view completely.⁴¹ It goes without saying that the delegations sent to the representative assemblies were recruited almost exclusively from the top echelons of citizens.⁴² What will be apparent is that the assemblies of the States—and of course also those of the third order—concerned themselves primarily with the social and economic interests of the urban elite. However, the image of a unified group, conjured up by the use of the term *patriciate*, is pure illusion. The highest social and political strata were often divided sharply into factions and parties, each of which relentlessly contested one another's power.

The rise of the urban plutocracies and the positioning of the towns in princely politics does not deny that a number of core values from the communal period continued to occupy an important place in urban society of the late Middle Ages. The *universitas civium*, for example, was still regarded as the key to urban existence, and the maintenance of peace and the safeguarding of legal security continued to be of crucial importance.⁴³ These values spread even further as a result of two developments: the territorial expansion of the urban jurisdictions and the cooperation between towns.

In the late Middle Ages the towns endeavoured to expand their power far beyond the town walls, in particular employing a set of legal instruments to subjugate neighbouring smaller towns and lordships. This was a protracted, gradual process, but eventually they achieved effective dominance, as can be seen from the developments in Flanders, where Ghent, Bruges, and Ypres each created their own districts, the so called quarters, where they acquired an unequalled power in the fourteenth and fifteenth centuries. Disregarding the Flemish count, in 1343, the territory of the county was functionally divided into three parts. Administrative

⁴⁰ Compare: Van Uytven, 'Plutokratie'.

⁴¹ Van Uytven, 'Plutokratie'; Van Uytven, 'Stedelijk leven'.

⁴² Compare: Blockmans, 'Representation', 32–4; Van Uytven, 'Plutokratie'; Kokken, *Steden*, 156–62; Augustyn, 'Staten', 104–5.

⁴³ Van Uytven, 'Stedelijk leven', 214–15; Isenman, *Deutsche Stadt*, 214–15. The Amsterdam town seal can serve as an example, made before 1360, that symbolizes the collectiveness of all citizens: Carasso-Kok, Verkerk, 'Eenheid', 204–5, 228–9.

and fiscal power was in the hands of the central towns. Members of the local patrician classes were often appointed to important positions in the subordinate towns, which allowed them to make a welcome addition to their normal income, at the same time as promoting the interests of the major cities. These cities, of course, spoke on behalf of their district at the meetings of the Flemish Members and States.⁴⁴ An anonymous Liège poet describes the situation in 1379 as follows in a beautiful metrical verse:

Les trois villes envoièrent
 leurs messagés adont à Gand.
 Un parlement sont là tenant
 ensamble son-il d'acort
 en tele manière lez villes fort:
 Gand doit mesmes adrecier
 sa chaselrie et corrigèer
 et lez villez que dedens sont,
 que Bruges et Yppre point ne se melront.
 Bruges adrechera lez seins
 sans Gand et Yppre par moyens.
 Yppre fera enssy avant
 sen droit sans Bruges et Gant.⁴⁵

The three cities sent their messengers to Ghent, where a parliament was held. The large cities agreed the following: Ghent itself has to lead and correct its castellany and the cities within it, with no interference from Bruges and Ypres. Bruges will lead its own quarter, without any intervention from Ghent and Ypres, and Ypres has the equivalent right, without interference from Bruges and Ghent.

Similar power relations developed in other principalities, although the dominance of the main towns never extended as far as in Flanders. When the ducal authority collapsed in Brabant in the late fourteenth century, the large towns Leuven and Brussels developed their own districts there at the cost of the authority of the prince; these territories were also referred to as quarters. Further to the north, Dordrecht almost completely dominated the region of south Holland, while Guelders was also made up of four quarters, modelled on the towns of Nijmegen, Arnhem, Roermond, and Zutphen.⁴⁶

The internal development of the towns was completed by the formation of urban leagues. From the thirteenth century, these alliances were often formalized in official charters in which several towns solemnly promised to support one another. The urban leagues were generally formed by towns within a particular principality, but in some cases, the alliances also went beyond provincial borders.⁴⁷ In Flanders the first provincial urban league was probably formed in 1127–8; in the prince-bishopric of Liège the formation of a long series of leagues started in 1229; in Brabant, this may have begun in 1248–9 but it was certainly taking place in 1261–2, continuing

⁴⁴ See, in particular: Nicholas, *Town*; Blockmans, *Volksvertegenwoordiging*, 107–27; Nicholas, *Urban Europe*, 55–6. The cities' affiliations could extend over a much larger territory than only their quarter.

⁴⁵ Cited from: Dhondt, 'Origines', 98 n. 125. The message about 1341 is comparable: De Pauw, 'Texte', 341.

⁴⁶ For Brussels: Godding, 'Impérialisme'; Leuven: Van Uytven, 'Imperialisme'; Dordrecht: Van Herwaarden e.a., *Geschiedenis*, 180–1; for Gelre: Noordzij, *Gelre*.

⁴⁷ Compare the definition given by German historian Friedrich Fahlbusch, 'Vertraglich beschworene Abmachungen zwischen Städte, um den Organisationsrahmen zum Erreichen gemeinsamer, im Vertrag genannte Zwecke festzulegen': *LMA VIII*, s.v. 'Städtebund', 17; Isenmann, *Deutsche Stadt*, 318–26.

until 1438–9. Holland and Guelders followed at the end of the thirteenth century; Luxemburg followed suit in 1336, when fifteen towns and a number of noblemen made sure that their interests were included in a regulation on the princely succession law.⁴⁸

The organization of the provincial urban leagues was remarkable, similar to that of the much older local brotherhoods (Figures 3.2 and 3.3). The leagues were based on equality, and were formed by several towns that were on an equal footing with one another. The key concepts in their wording were again ‘brotherhood’, ‘friendship’, and ‘solidarity’. This can be seen in the Brabant urban league of 1355, that promoted mutual equality with the emphasis on friendship and solidarity. The pact was made: ‘Because of the great trust and friendship that we have always had towards one another, that we now have and that we will maintain, and in order to remain together forever united, inseparable and uninterrupted, in trust, friendship



Figure 3.2. Brabant urban league of 8 March 1355. Leuven, City Archives SAL, Oud Archief 245

⁴⁸ Dhondt, ‘Assemblées’, 214–15; Favauge, *Deux confédérations*, 31; Lejeune, *Liège*, 257–62; Töpfer, ‘Rolle’.

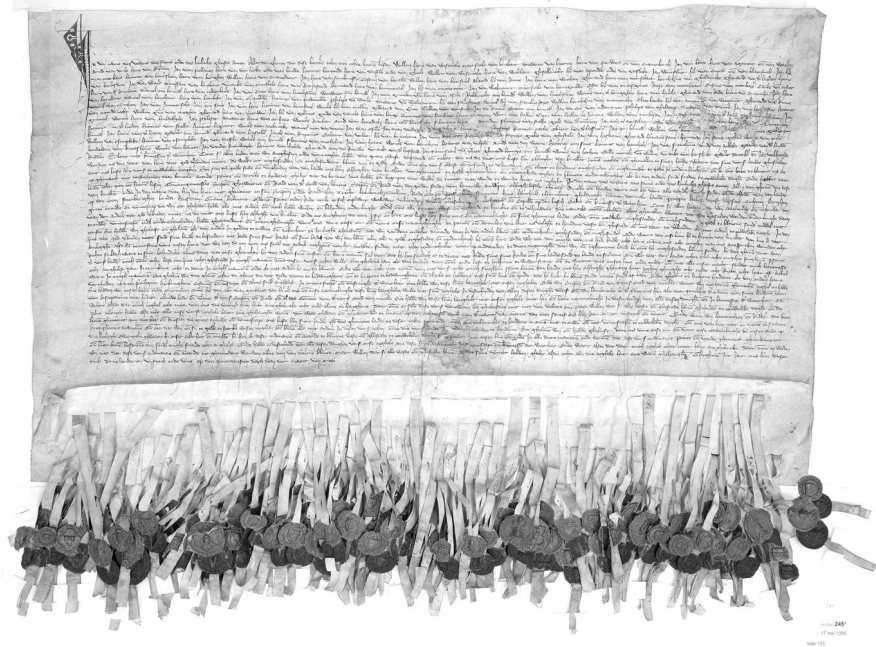


Figure 3.3. Brabant league of nobles of 17 May 1355. SAL, Oud Archief 245^{bis}

and solidarity'.⁴⁹ The urban leagues thus expanded the political horizon of the local environment to that of the principality.

And it could get even bigger. Later, the concept of brotherhood also became the starting point for the unification of the States of all the provinces of the Netherlands. The Brussels delegate Gord Roelants commented, when in May 1482, the French King Louis XI threatened to invade the Netherlands:

We may want to be brothers and to be united, and through a true union and a real agreement have the goodwill and courage to protect the lands and lordships, saying that the king cannot do us any injustice if you and we, and we and you are of one common opinion.⁵⁰

Although these leagues were based on equality, there were leaders and followers. In almost all cases, one of the towns would assume a leading role. In Flanders this was Ghent; in Brabant, Leuven; and in Holland, Dordrecht.

Collaboration between the towns, whether this arose spontaneously or was imposed by the prince, did not necessarily lead to the continuity that we might expect of

⁴⁹ Publication: Willems, in: *BY* II, 473–4; Laurent, Quicke, 'Guerre', 87. Compare the league of 1261–2: 'Omnes pariter et singuli tanquam fratres unanimi voluntate coniuravimus et confederationem mutue pacis atque amicitie fecimus inviolabiliter observandam': Camps, *Oorkondenboek* I, 367–8, no. 284.

⁵⁰ Gachard, 'Analectes', 318.

Table 3.3. Origin of the third order⁵¹

Province	Third order	Oldest aids
Flanders	1241	1225/1244
Brabant	1249	1248
Burgundy	1286	
Hainaut	Ca. 1350	1244
Holland/Zeeland	1291	1291
Luxemburg	1336	1360
Franche-Comté	1318	
Guelders	1343	1293

representative institutions. Only from the middle of the thirteenth century, and in some cases a century later, did the towns manifest themselves as a third order. From around 1225 the *scabini Flandriae*, the aldermen of the large towns, in Flanders put their mark on policies; in 1248, with the so-called will of Henry II, Brabant received its first constitutional charter, and in Holland, the oldest meetings of the towns also date from this period. This development was primarily related to the growing financial importance of the towns. From the first half of the thirteenth century, the princely dynasties became increasingly embroiled in a debt crisis that could only be resolved with financial contributions from the towns. In the introduction to this chapter, we saw how the Brabantine towns took over the princely council in 1314 for a period of six years—the duration of the aid. The same can be seen in a number of other principalities (Table 3.3).

3.2.3 The Second Order

The second order was made up of the privileged class of nobles and knights. The advisory role that formed one of the pillars of the existence of the meetings of the States can almost be said to be inherent in noble status.⁵² The question is whether this order can really be said to be representative. The nobles were members of the council of the prince and were later also personally invited to the meetings of the States, and the lobbying of interests took place in a completely different manner from in the towns. A nobleman was bound to his lord by feudal oaths; moreover, the people who lived on his manors were dependent on him and were unable to exercise any influence on his mandate.⁵³ The basis of the power structure of the second order lay much more in the informal and semi-formal sphere of relations, clients, and vassalage, than in the formalized sphere of written treaties.

⁵¹ Dhondt, 'Origines', 73; Mertens, Torfs, *Geschiedenis*, 530–1; Prevenier, Smit, *Bronnen* I, 1, 4, no. 8; Bocage, 'États', 69; Van Eeckenrode, *États*, 27; Arnould, *Dénombrements*, 41; Petit, 'Gouvernés', 92; Reichert, *Landesherrschaft*, 131; Alberts, 'Middelleeuwen', 63; Flink, Thissen, 'Gelderse steden', 212; Richard, 'États', 299–301; Gresser, *Franche-Comté*, 237.

⁵² Hoppenbrouwers, 'Middelleeuwse medezeggenschap', 137–8.

⁵³ Blockmans, 'Representation', 33.

In what period did the second order emerge? This seems only to be possible at the point when a small number of noblemen represented the whole of the provincial nobility.⁵⁴ Antheun Janse has put forward convincingly that in Holland the period around 1445 was crucially important because of the major institutional reforms that took place at that time. The Burgundian takeover had resulted in the formation of a strongly bureaucratic and professional Court of Holland, mainly staffed by scholars, lesser nobles, and patricians. There was much less room for the mighty bannerets who had been so powerful at the count's court, their natural habitat where they had previously exercised power and where the legitimacy of their social position was confirmed. The court of the dukes of Burgundy was outside the reach of the Holland nobles, although a few—three to be precise—did manage to acquire a position at a higher level in the Burgundian court and the Order of the Golden Fleece. Most of the noblemen risked falling between two stools.⁵⁵ Therefore they felt compelled to formalize their power in another forum. It is from this very period that a source mentions for the first time a meeting of the Holland nobles that manifested itself as a separate body within the States of Holland.⁵⁶ This change is not unimportant. The nobles gathered now, as it were, on the side of the third order, and from there entered into dialogue with the prince instead of supporting him in his negotiations with this same third order.

It is not completely clear whether a comparable development took place in other provinces. It is likely that the disappearance of the princely courts led to a repositioning of the nobility there too. In Chapter 2 I indicated that there were still six or seven dynasties in the territory of the Netherlands in around 1380, each with its own court and a separate princely council. By the end of the reign of Philip the Good, this number had reduced to one, or two if Guelders is included, and elsewhere, too, the princely councils were replaced by more professional courts of law. This seems to be the case in Namur, for example, where the second order put in an appearance for the first time at the sale of the county to Philip the Good.⁵⁷ In Brabant, on the contrary, the situation was different. There, the nobility had been recognizable as a separate order since before 1430. This could be seen in 1355 when Duke John III was seriously ill and the duchy was under threat of being submerged in a crisis of succession. On 8 March 1355, the Brabant towns signed a treaty, which was joined a few months later by 139 nobles. They did not do this under their personal title: several bannerets and noblemen sealed the treaty 'for all other nobles', promising that: 'Because of the great disagreement, dispute and the differences that could arise after the death of their dear lord the duke, they have agreed with the good towns and privileged communities of the land in good harmony to remain together united and indivisible for ever'.⁵⁸ This development was formalized in 1426, when the high nobles, the bannerets, received the exclusive

⁵⁴ Compare the definition by Prevenier, *Leden*, 61.

⁵⁵ Janse, *Ridderschap*, 375–81; 'Tweede Stand'; compare for the institutional development: Damen, 'Raad'; Paravicini, 'Expansion', 441. De Smedt, *Chevaliers*, 97–102, nos. 42–4.

⁵⁶ Janse, *Ridderschap*, 375–81.

⁵⁷ Brouwers, *Aides*, xii.

⁵⁸ Willems, in: *Brabantsche Yeeften* II, 473–5, no. X, XI.

right to form the second order in the States of Brabant.⁵⁹ In Flanders too there appeared to be little or no connection between Burgundization and the development of the second order. From the early fourteenth century the Members there had such a dominant position that the nobles and the clergy were almost completely marginalized.⁶⁰

The role of the nobility in the context of representation was clearly subordinate to that of the towns. This applied in the absolute numbers relating to Flanders, Brabant, and Holland (Table 3.1), but the same also applied to Zeeland, where between 1433 and 1467, 1,137 assemblies were held, and in only 99 cases (11.5 per cent) did these also involve the second order.⁶¹ What is more important is that the nobles virtually never assembled independently; in almost all cases, the second order acted together with the towns. In Brabant there were 287 meetings of the nobles between 1356 and 1430. There were just fifteen occasions when the towns did not participate in these meetings.

3.2.4 The First Order

By tradition, the privileged clergy were represented in the 'inner council' established by the prince. In return for his support and financial contributions, they too owed their lord counsel. Just as was the case with the third order, the position of the clergy developed autonomously. In around 1320 in the archive of the Liège cathedral there were fifteen or more reports of 'Confraternités des églises et conventions conclues entre elles', dating back to at least 1231.⁶² In Flanders a more modest approach was taken. Separate meetings of the clergy were held in 1294, 1357, 1394, 1397, 1408, and thereafter at irregular intervals.⁶³ The Brabant clergy, comprising abbeys and priories, received an exceptional privilege from the duke in 1292–3 and again in 1312, that protected their rights. A short time later, on 13 May 1314, the first organized collaboration came into being, when eleven abbeys, thirteen nunneries, two deaneries, and two priories united in protest against the town-dominated provincial administration.⁶⁴ In 1335 the large abbeys concluded a further treaty in an attempt to resist the tax measures imposed by the duke.⁶⁵ The separate privileges for the clerical order in 1377, 1429, and 1431 give reason to believe that there was intensive cooperation at the time.

The participation of the first order completed the tripartite representation of the Common Land, but in general, the clergy barely interacted in the general politics of the towns and the nobles. We have already seen that the clergy in the provinces

⁵⁹ Augustyn, 'Staten', 102.

⁶⁰ Blockmans, *Volksvertegenwoordiging*, 214–16, 600–1; Blockmans, 'Représentation'; Dumolyn, Van Tricht, 'Adel', 201–2. This only reflects the Flemish nobles as an order, as Frederik Buylaert has shown: *Eeuwen*, 300–3 and *passim*.

⁶¹ Van Steensel, *Edelen*, 205. Compare Table 3.1.

⁶² Lejeune, *Liège*, 228–9.

⁶³ Blockmans, *Volksvertegenwoordiging*, 162; Nuytens, Zoete, 'Vier Leden', 67; Prevenier, 'Verhouding', 28–9.

⁶⁴ Avonds, *Brabant...krisissen*, 48.

⁶⁵ Van den Bussche, 'Complaincte'; compare: Avonds, *Brabant...land*, 213–15; Van Uytven, 'Wereldlijke overheid', 82–90.

to the north of the Rhine had no formal representation at all, although some clergymen were of course incidentally present at the assemblies of the towns and the nobles. In Flanders the clergy *were* present incidentally, but they were almost completely forced out by the overpowering influence of the four Members. For the whole period between 1385 and 1492, Wim Blockmans found only 172 meetings of the Flemish States that involved the clergy, out of a total of 3,977. This figure is somewhat higher for Brabant (Table 3.1).⁶⁶ The involvement of the first order in the meetings of the States was in many cases invoked because the prince also asked the clergy for a financial contribution.⁶⁷ At no point was there any active participation within the three States, nor any joint setting of the agenda for the dialogue with the prince.

The composition of the clerical delegation could vary strongly per province. This was generally limited to a number of abbots and members of the most important chapters (see Table 3.4). Formally, the first order of Hainaut consisted in 1470 of just twenty-two ‘crosses’, or large abbeys, but in practice, representatives of the large town churches and of the rural deacons were also present.⁶⁸ A Burgundian observer reported in 1398 that the first order in Brabant normally comprised sixteen or seventeen prelates, but this seems unlikely because in 1415, eleven abbeys were involved, and in 1450, the clergy in Brabant had assumed its definitive structure, when the abbot of St Gertrude at Leuven was added as the twelfth member.⁶⁹

Table 3.4. Composition of the first order in the representative institutions⁷⁰

Province	Bishops	Abbots	Delegation of the chapters	Lower clergy
Brabant	–	X	–	–
Flanders	–	X	X	–
Hainaut	–	X	X	X
Holland	Not represented			
Zeeland	Not represented			
Namur	–	X	X	–
Artois, Boulogne	X	X	X	–
Luxemburg	–	X	–	–
Guelders	Not represented			

⁶⁶ Blockmans, *Volksvertegenwoordiging*, 161–3, 600; the meetings of the States-General have been excluded here. Compare for Brabant, Uyttebrouck, *Gouvernement*, 435–8.

⁶⁷ Prevenier, ‘Verhouding’, 28–9.

⁶⁸ Piérard, ‘États’, 65.

⁶⁹ Froissart, *Oeuvres*, XVI, 266; Van Uytven, ‘Wereldlijke overheid’, 89; Avonds, *Brabant... land*, 213–15.

⁷⁰ Jongkees, *Staat*, 207–8; Prevenier, ‘Verhouding’, 28–9; Blockmans, *Volksvertegenwoordiging*, 161–3; Van Uytven, ‘Wereldlijke overheid’, 82–90; Augustyn, ‘Staten’, 98–9; Piérard, ‘États’, 65; Enklaar, ‘Uit de voorgeschiedenis’, 74–5; Petit, ‘États’, 102–3; Harsin, ‘Gouvernés’, 81–2. The abbot of Middelburg often appeared in the States of Zeeland, but as landowner and not as representing the first order. Van Steensel, *Edelen*.

3.3 POLITICAL ROLE

The literature contains long lists of the 'functions' or 'spheres of activity' of the representative institutions. Indeed these bodies did hold discussions with the prince on a broad range of issues, with the subject and the influence being dependent on whatever the power relationships were at the time.⁷¹ Modern authors have assumed that the prince and the representative institutions were engaged in a constant battle for power. The representative institutions were defined as 'forces limitant le pouvoir du prince'.⁷² However, many medieval writers held a different view. In around 1400, for example, the narrator Willem van Hildegarsberch recounted that the lords were first appointed by the people 700 years after the flood. He talks of how at that time, beggars and thieves became rich at the expense of the hardworking men. The people became so weary of the increasing robbing and plundering that they passed a law, making it necessary to appoint a powerful lord to see that the law was adhered to: 'Then they appointed a powerful lord, who would judge the community and guide the people with his power, because a judge with no power generally has no authority'.⁷³ The prince and the maintenance of law and social order went hand in hand. The *Sidrac*—the translation is probably by Jan van Boendale—describes it as follows:

A ruler is ordained by God to uphold justice on earth. Because if there were no law, the people would be like the fish: the strong would eat the weak, as would the big, the small. There has to be a strong court of law to serve justice on the wicked and to give to each person what he deserves.⁷⁴

Similar viewpoints can be found elsewhere in the Netherlands, in *Die Rose* by the Brussels writer Hein van Aken, in the *Lekenspiegel* and the *Boec van der wrake* by Jan van Boendale, and in the work of Denis the Carthusian.⁷⁵ We also find viewpoints that place the prince in the service of the common good in the *Speculum* by Johannes Caligator, *De cura reipublicae et sorte principantis* by Philip of Leiden, in the anonymous *Scaecspel* and in the closely related *Tafel van den kerstenen ghelove* by Dirc van Delf.⁷⁶

These viewpoints were probably founded on the influential *De regimine principum* (on the government of princes, 1267) by the Dominican Thomas Aquinas. He likened a principality to a ship that needs a helmsman to set and maintain its

⁷¹ Uyttebrouck, *Gouvernement*, 465; Kokken, *Steden*, 216–76; Van den Hoven van Genderen, *Het Kapittel-generaal*, 104–35; Blockmans, *Volksvertegenwoordiging*, 303–542; Hoppenbrouwers, 'Middeleeuwse medezeggenschap', 145–7.

⁷² Wellens, *États-Généraux*, 89; compare: Dhondt, 'Ordres', 29.

⁷³ 'Doe maecten si enen heer soe groot, / Die tghemene soude scheiden / Ende tvolc mit macht beleiden, / Want een rechter sonder macht / Die wort selden wel gheacht.' Hildegarsberch, *Gedichten* CI, vs. 82–96; compare: Meder, *Sprookspreker*, 280, 282–3.

⁷⁴ Van Tol, ed., *Boec van Sidrac*, 62 casus 49.

⁷⁵ Hein van Aken, *Rose*, vs. 5459–73; Boendale, *Leken Spiegel* III, cap. 11; compare Hermesdorf, *Rechtsspiegel*, 99–102.

⁷⁶ Avonds, 'Caligator', c. 100–1; Leupen, *Philip of Leyden*, 211–18; *Scaecspel*, 5–21; Dirc van Delf, *Tafel* IIIb, 580; Warnar, 'Dominican', 65–7.

course. An oligarchy, leadership by a group of important people, was not a good idea, and democracy even less so. The best system was the monarchy, in his opinion—at least if the prince acted in the interests of society by maintaining unity, law, and peace. If he failed to do so, and ruled for his own benefit, a good regime would turn into its opposite: a tyranny.

The relationship between the prince and the representative institutions cannot therefore be regarded as a total opposition. This is even clearer in the records of the urban leagues. Almost without exception the prince was the centre around which the towns united, the symbol of unity, and its materialization. This was the case in the Brabant urban league of 1313 that was mentioned in the introduction to this chapter, but equally in the long series of earlier and later Brabant leagues; currently fifteen of these are known.⁷⁷ The extent of the Brabant series of leagues is unique in the Netherlands, although the scope of their activities is certainly not. The Guelders urban league of 1343, for example, was also established ‘in the interest of our young lord Rainald, Duke of Guelders, who is now our righteous lord, of his successors and also of the Common Land and ourselves, the towns’.⁷⁸ In 1299 the main towns of Holland and Zeeland joined with their count to punish the perpetrators of ‘die jammerlike doet ende moert’ (the woeful death and murder) of Floris V. Ten days later, Count John I agreed to the towns, ‘that we will help and strengthen one another against all men who act against us or want to do so’.⁷⁹

The towns of Holland formed a league again in 1351, when the country was embroiled in a full dynastic crisis about the question of whether Margaret of Bavaria or her son William should occupy the ducal throne, their reasoning being: ‘Because we have taken it upon ourselves to make our dear and beloved lord duke William of Bavaria, Count of Holland, of Zeeland and lord of Friesland, our ruler with power over his lands and his subjects’.⁸⁰ The same occurred in Flanders during the crisis of 1127–8. The towns and some of the nobles took measures to appoint first William Clito, and when he proved disappointing, Thierry of Alsace, as count. The events were repeated three and a half centuries later, in 1477, when the Flemish towns, after receiving news of the death of Charles the Bold, formed a league, and in fact again in the turbulent years from 1482 to 1492, when they overthrew the personal administration of Maximilian of Austria and maintained the very young Philip the Fair as Count of Flanders.⁸¹ Even in the years of revolution between 1338 and 1345 the towns made repeated efforts to bring back to Flanders Louis I of Nevers, who had fled. When this proved unsuccessful, they appointed

⁷⁷ Boland, ‘Siècle’; Mertens and Torfs, *Geschiedenis* II, 529–34; Boland, ‘Deux versions’; Boland and Lousse, ‘Testament’; *Den huyster* I, 75–6; Piot, ‘Alliance’; Van der Straeten, *Charter* I, 88; Moureaux-van Neck, ‘Aspect’. For the league of 1415: Brussels AR, MD 1483, f. 18r. Compare: Quicke, *Geschiedenis* III, 103; *BY* VII, 5630–91. The league of 1428: Loovens, *Practycke* (incorrectly dated 1328). Reference to an existing league in 1438: SAL 5065, f. 49v. The league of 1439: SAL 251. Transcription Ms M. Ceunen.

⁷⁸ Alberts, *Staten*, 57.

⁷⁹ Gysseling, *Corpus* IV, 1281–82, no. 1802. Compare: Prevenier, Smit, *Bronnen* I, 1, 10, no. 20. Van den Bergh, *Oorkondenboek* II, 503–4.

⁸⁰ Prevenier, Smit, *Bronnen* I, 1, 92–3, no. 156.

⁸¹ Arnould, ‘Lendemaîns’, 19 n. 1; Dhondt, ‘Origines’, 98; Blockmans, ‘Autocratie’, 313, S20.

as regent the Italian merchant Simon of Mirabello, who emanated a vague air of legitimacy on account of his marriage to an illegitimate sister of the count.⁸² The leagues were in principle not opposed to the prince, but they were against certain members of his council, namely the sycophants and fraudulent profiteers who squandered the common good in order to benefit themselves. Only in extreme cases, if he refused to listen to reason, did the prince himself come under scrutiny. This occurred repeatedly in Flanders in the fourteenth century, and occasionally in Brabant (1420–1; Figure 3.4).

The relationship between the prince and the representative institutions in Holland developed differently. Between 1437 and 1438, the bottling room of the former court buildings in The Hague (the Binnenhof) was designated for use by the towns, at the cost of the county's receiver-general. Above the fireplace hung the ducal coat of arms of Philip the Good, flanked by the coats of arms of the towns of Holland and Zeeland. This room, just a stone's throw from the council room of the stadtholder and the Council of Holland, was where the towns were able to hold their meetings.⁸³

Rather than there being an opposition, it would be truer to say there was a confluence of interests between the prince, or the administration, and the urban elites, the patriciate that in a social, institutional, and ideological respect formed the basis of the representative institutions. The support of the prince was indispensable in standing up to the political and financial ambitions of competing factions, for as ruler, he appointed the urban magistrates. Above all his military strength offered a vital protection against the ever simmering public anger. A weak central power would result in social instability, division, and revolt, particularly in the towns.⁸⁴ The prince was also the personification of law, order, peace, and prosperity in his principality, although it has to be said that was mainly the law, order, peace, and prosperity of the established elites. We saw earlier that the law, based on rational and sound arguments, provided much-needed protection for the traditional urban brotherhoods against the feudal arbitrariness of the enemies outside the towns, and served as a safeguard for local stability and an absolute prerequisite for healthy trade.⁸⁵ Naturally, these interests did not stop at the town wall, the limits of the town's jurisdiction, or the borders of the quarter. The large merchants wanted to be able to travel in safety from one place to another, and the prince played an important role in safeguarding this. He was the highest body in worldly matters, as well as being the highest authority over the officers of the court, the bailiffs, and the sheriffs. At provincial level, justice continued to be one of the principal topics of debate between the prince and the representative institutions. Immediately upon his inauguration he had to swear an oath to be a reliable lord and judge, a 'goet gerecht heere', and subsequently, too, justice continued to be a subject of discussion.⁸⁶

⁸² Vandermaesen, 'Vlaanderen', 427–30.

⁸³ Smit, *Bronnen* II, 1, XI–XII; Damen, *Raad*, 41.

⁸⁴ See for example: Boone, *A la recherche*, 43–56; Boone, Prak, 'Rulers'; Prevenier, Blockmans, *Prinsen*, 347–51; Stein, *Politiek*, 215–18; De Waha, 'Aux origines'; Haemers, *Gentse opstand*; Brand, *Over macht*, 102–6.

⁸⁵ Blockmans, *Metropolen*, 79–84.

⁸⁶ Boone, 'In den beginne', 355–8; Blockmans, 'Constitutionele betekenissen', 484–94; Smit, *Vorst*, 374–6, 387–90; compare: Wauters, 'Serments'; Scufflaire, 'Serments', 95; Van der Straeten, *Charter* II, 13; Van Bragt, *Blijde Inkomst*, 105.



Figure 3.4. The States of Brabant ask Philip of St Pol to act as regent (1421). Copy from ca. 1470. Paris Bibliothèque nationale de France, ms. fr. 2680, f. 316v

If his position became too weak to support this promise or if he was unwilling to meet these commitments, his subjects could literally take the law into their own hands. In the thirteenth and fourteenth centuries, the Members and the States of Flanders, Brabant, Hainaut, Holland-Zeeland, and Guelders appointed their own committees of enquiry, to monitor the law, and particularly the judicial officers, who were constantly surrounded by the stench of fraud and partisanship.⁸⁷ With the central role that they attributed to the prince as a guardian of the law, the urban elites found themselves in a complex dichotomy. On the one hand a strong prince and a clear, well-structured system of law were literally of vital importance to them, and on the other hand there was the danger that the prince could use the law for his own purposes and thus threaten urban privileges, that, with their centuries-old history, formed a monument of urban unicity and of the collective identity of the citizens.

Conversely, the prince was also dependent on the support of the representative institutions. One of the most important functions of these institutions was to recognize the prince in his position as ruler. Bernard Guenée commented: 'Dans cet Etat nécessairement monarchique, le monarque joue bien le rôle qu'on attend de lui, il faut qu'il possède un certain nombre de qualités dont la première est d'être légitime'.⁸⁸ But what is legitimate? The succession of the father by an adult eldest son was generally unavoidable, in which case the role of the States was limited to confirming the formal inauguration. Even in cases where the male successor was a juvenile, or mentally deficient, the succession was still generally not disputed. However, the situation was completely different if the prince had only daughters, or no children at all. In fact, no arrangements had been made to address such circumstances. No matter how ambitious a pretender was, how much right he thought he had, how much support he had from the king, the emperor, or the international community, the recognition of his position by the provincial political elite, in the late Middle Ages by the Common Land, was indispensable: this was the body that made the pretender a successor, the fortune hunter a prince. On the basis of often conflicting written and unwritten rules and vague precedents, unearthed from national historiography, it was the representative institutions who chose one of the candidates. They weighed arguments based on treaties, laws of inheritance, and finances against one another, and in doing so were led not only by the question of who could present the most convincing legal titles, but also by their own best interests. The agreements were formalized by means of a mutual oath, first in the 'capital city', and then in a number of other major towns and locations determined by tradition. Only then could the new prince be fairly certain of his position.⁸⁹

Nowhere did the interests of the prince and the elites overlap as much as in the area of finances. In Chapter 4 we will see how the different dynasties in the Netherlands struggled with increasing deficits. In particular from the early thirteenth

⁸⁷ See Chapter 6 for more information on this.

⁸⁸ Guenée, *Occident*, 134.

⁸⁹ Smit, *Vorst*, 356–68; Blockmans, *Volksvertegenwoordiging*, 309–18; Wauters, 'Serments'; Scufflaire, 'Serments', 99–100.

century they became embroiled in a fatal downward spiral: the increasing deficits, acquiring loans, for which the domains served as security, the consequently diminishing income, and the necessity of entering into new debts and loans. In theory this was the prince's problem as the loans were in his name. However, the passage by Jan van Boendale, cited at the start of this chapter, shows that things were not quite so simple. Desperate international creditors recouped the debts of the prince from the traders: merchants were arrested, and merchandise confiscated. Moreover, many of the debts were owed to the wealthy citizens in the form of annuities at a high rate of interest. The solution to the problem lay in raising taxes to settle the princes' debts, which needed the support of the representative institutions. The sums required were agreed by the representative institutions in the form of extraordinary aids, provided voluntarily, 'by grace rather than by law'. The major proportion of the money was paid out of the public funds of the towns, funds that came from indirect taxes on beer, wine, and grain and that would normally be intended for public building works such as the town wall and the town hall. The prince's debts, the loans of the urban elites, were thus recouped from all the inhabitants.

A subject closely related to taxation was the value of the coinage, an issue on which subjects and government had to reach an agreement. In the Middle Ages this was determined by the alloy, the content of precious metal. It was tempting for a prince to regularly devalue his coinage as this would allow him to produce more coins for the same amount of gold or silver. Reducing the alloy also reduced his debts. However, changing the gold or silver value had substantial consequences. The most important is probably that it had a direct effect on the money that subjects had available to spend. Urban dwellers, nobles, and the clergy benefited from a stable coinage, because in many cases they received part of their income from annuities.⁹⁰ The economic and political elites in the towns also regarded a weak currency as a threat to trade. For those lower down the social ladder, inflation, like every form of tax, resulted in loss of spending power, which subsequently could lead to political unrest and revolts.⁹¹ The town administrations therefore kept a close watch on what happened with the alloy of the currency. Some scholars even propose that the monitoring of the coinage was one of the most important reasons for initiating the meetings of the States.⁹²

The outcome of the dialogues between provincial representative institutions and the prince were determined above all by power relations and existing traditions. On the one hand there was the Flemish model, dominated by the three powerful cities of Ghent, Bruges, and Ypres, that as centres of population had no equivalent north of the Alps. As the Flemish Members, they were strongly assertive, often engaging in open resistance, almost always combined with social unrest, such

⁹⁰ Van Houtte, Van Uytven, 'Financiën', 121.

⁹¹ Blockmans, *Volksvertegenwoordiging*, 489.

⁹² Guenée states for instance (*Occident*, 253): '[Les] assemblées se tiennent surtout parce que se posent au prince comme aux sujets de graves questions d'argent. Il semble que ce soient les problèmes monétaires qui, les premiers, aient imposé le dialogue.'

as the uprising of the weavers or fullers crafts. From 1339 to 1347 the Members had full control of the county, while the count sought refuge at the French court. From 1379 to 1386 the cities, and in this case Ghent in particular, were in total revolt against the authority of the prince again. Nonetheless, Flanders is not necessarily representative of the Netherlands. At the other end of the spectrum was the constitutional tradition of the neighbouring Brabant. From 1356 the dukes of Brabant swore their oath at their inauguration, on the Joyous Entry, a document composed in discussion with the States of Brabant—in some instances dictated by them—in which many articles reflected the constitutional rights of Brabant, relating to administration, the law, and territorial integrity. The Joyous Entry of 1356 was the first of a long series that continued until 1781 to set out the agreements between prince and subjects. The relationship between the prince and the representative institutions was not determined by the dozens of extremely detailed stipulations, but by the final clause. This stipulated the right of resistance:

If we, our successor or our descendants should commit any act or cause any act to be done that contravenes these articles, points and stipulations, either as a whole or one of the parts, in any way whatsoever, we allow and stipulate that our good subjects mentioned before, no longer owe us, our successors or our descendants any service, nor obedience until such time as we have rectified the said act and completely renounced it.⁹³

In practice, the representative institutions made regular use of this clause, which resulted in significant concessions from the duke.

Each province cherished its own traditions and relations between prince and subjects. Unlike Brabant, the other principalities of the Netherlands had no constitutional tradition, but they were much further removed from the Flemish confrontation model. In general, there was a form of peaceful cohabitation between the prince and the representative institutions. Their relations were decided at the prince's inauguration, and in most cases they worked well. Further agreements could be made if the count or duke made financial demands, or if he desired some other form of support from his subjects.⁹⁴

The dubious nature of the Burgundian claims, particularly the claims to succession in the principalities of the Empire, gave the States the opportunity, in exchange for recognizing the succession by the Burgundian dynasty, to state their own demands and to actually see that these were met. We will see later how the development of the Burgundian union coincided—or maybe rather correlated—with an unprecedented financial crisis. The solution adopted was to develop a system of systematic tax collection. The weakness of the claims of the Burgundian dynasty and its growing dependence on tax revenues is an important explanation for the continued existence of the old principalities within the Burgundian *composite monarchy*.

⁹³ Stein, '74 woorden'.

⁹⁴ The prince-bishopric of Liège in a way combined the Flanders and Brabant models, by cherishing both a tradition of revolt and a constitutional tradition.

3.4 CONCLUSION

The representative institutions were developed from two different movements. On the one hand there was an internal-urban development from the *conjuraciones* of the high Middle Ages, brotherhoods that promoted the interests of the inhabitants; on the other hand there was the prince who felt compelled—or who considered it desirable—to involve a third, wealthy group of citizens in the council. This was the opportunity for the urban elites to achieve their political and financial interests.

In 1950 Jan Dhondt published an article in which he placed the meetings of the States within the societal arena. ‘Dans toute société humaine’, he commented, ‘l’organisation politique a été façonnée par et pour les forts; l’assemblée d’États du moyen âge et de l’époque moderne est une pur et simple application de cette maxime’.⁹⁵ The representative institutions of the Netherlands also served the interests of those with power, in essence the urban elites, as I have argued in this chapter. The question is from whom did their interests have to be protected. Dhondt assumed that this was the prince or his administration. This was at times the case particularly in Flanders, Dhondt’s homeland, where the Members took action against the Flemish counts and the Burgundian dukes. But Flanders, with its powerful cities, and its almost autonomous meetings of the Members, was not representative of the other provinces in the Netherlands. Elsewhere, people sought synthesis, they were more aware that the interests of the prince and the urban elites were very closely aligned. Further investigation shows that this was most often also the case in Flanders, and the prevailing image rests primarily on the exaggeration of a few sensational excesses. In general the Members were inclined to reach a compromise with the princely administration. To the powerful, the threat did not come from the prince’s administration but from those who were without any power: the lower classes of society, the enemy factions. This is the arena within which the representative institutions operated.

The role of the representative institutions was not marginal, at least not in the urbanized areas of the Netherlands. The towns in particular maintained an almost continuous debate, on their relations with one another, but above all on the relationship with the prince and the administration: what concessions should they make, what compromise was needed, and what expectations did people hold? Much more than the officers, it was the urban magistrates that were the crucial link between the prince and his subjects. As brokers in finances, lobbyists for the large merchants, guardians of tradition, and above all as local and provincial governors, they were the societal support for Burgundian power. In the following chapters it will become clear that all these were indispensable in all kinds of ways for a dynasty with great ambitions, but whose claims to succession were dubious and whose financial situation was fragile.

⁹⁵ Dhondt, ‘Ordres’, 29.

4

The Attraction of a Union

4.1 INTRODUCTION

After Jacqueline of Bavaria returned to Gouda in 1425, Holland was torn by fierce battles. She had entrenched herself with a group of nobles and townspeople in the border region with the prince-bishopric of Utrecht and was struggling with varying success against a coalition of nobles and the towns in the south and west of the county, Dordrecht, Rotterdam, Delft, Leiden, Haarlem, and Amsterdam, that after some hesitation had allied themselves with Philip the Good. The war and the recurrent raids took their toll. The *Excellente cronike van Vlaenderen* much later gave a vivid account of the wretched struggle in 1426:

Lady Jacqueline inflicted many disasters and much evil in the area of Delft, where she cut through the dikes and burned down houses; she also caused a great deal of misery in the region of Haarlem. Duke Philip therefore fitted out a number of ships armed with fighting men in the town of Sluis. He set out again for Holland and conquered all the towns in Kennemerland and Westfriesland. In Delft many of Jacqueline's supporters were beheaded, and their heads were displayed on the town gates, as traitors to their rightful ruler. In Rotterdam, too, many of her supporters were hanged at the Waterpoort, near to the ramparts. And in Dordrecht, some were quartered.¹

This may have been poetic licence on the part of a chronicler who favoured the dukes of Burgundy; however, the sombre image of destruction and violence is confirmed in accounts of the receiver-general of Holland, Boudijn van Zwieten. He was completely on the side of Philip the Good, but he was also required to produce a reliable report of his laborious efforts to extract money for the war. The environment of Leiden makes a desolate impression, he reports. Leiderdorp, Zoeterwoude, Koudekerk, Warmond, and many other villages in Rijnland had been destroyed, some of the citizens had fled; others had defected to Jacqueline's camp. The inhabitants of The Hague had refused to pay up in order to avoid the plundering, and they too had left for safer places. Vlaardingen, Warmond, and Amstelveen were looted. Kennemerland was 'al rebell', Gooiland a battlefield, and the citizens of Westfriesland had entrenched themselves within their town walls because it was too dangerous outside. The enemy was no better off. To be able to better protect

¹ *Dits die excellente cronike* f. 82r. Compare: Janse, *Pion*, 236–77.

their town, the inhabitants of Gouda, encouraged by Jacqueline, had broken open the dikes. Defection and betrayal were widespread.²

In 1427 Jacqueline's position had become increasingly weak, her resistance ever more desperate, her finances exhausted; it was clear that her struggle was almost at an end. In a letter to the Council of the King of England she complained about her situation as a woman alone, without money, income, or influential friends, and with overwhelming debts. That shortage of money was more than rhetoric: later, at the definitive transfer of Hainaut, Holland, and Zeeland, she would again draw attention to her enormous debts.³

What was the way forward? For the large towns of Holland, dominated by the Cod faction, it was clear: no more Jacqueline. They were afraid of her crazy administration—literally *fol regiment*—but they undoubtedly also feared reprisals by her Hook supporters.⁴ In these dramatic circumstances the towns and nobles of Holland and Zeeland opted for Philip the Good, first as guardian for Jacqueline, later as count, in spite of his weak legal claim. The stakes were high and the towns were resolved. This was evident when, in December 1425, under pressure from the nobles and towns, Philip resolved to govern the counties himself: 'We will never again relinquish the government of Holland, Zeeland and West Friesland, put it into the hands of anyone else or in any way alienate it'.⁵ The people of Holland had to dig unprecedentedly deep in their pockets for this concession, and the duke was happy to receive the welcome amount of 75,000 pounds. Six months later the coterie between towns and duke would form the basis for the Treaty of Delft that confirmed the rapprochement between the parties, but above all also the treaty with which the house of Burgundy was confirmed definitively in its position of power not only in Holland, but also in Hainaut and Zeeland. The final transfer of power in 1433 and the confirmation of Philip as count was the next logical step.⁶

On the eve of the takeover of power by Burgundy, Holland was a ruined and torn country, partly ruled by, partly struggling against, an impoverished princess. At first sight Holland seems to be the exception. Flanders, Brabant, and Hainaut were by no means so seriously torn by social chaos; or were they? That remains to be seen. In this chapter I will indicate that conditions in most other principalities in the Netherlands showed great similarities with those in Holland. It is the story of the bankruptcy of princes, a story that starts with ever increasing expenditure, followed by a failing financial policy and leads eventually to social upheaval. I will put forward that it was this that was the main reason for the representative institutions choosing in favour of the dubious claims of the dukes of Burgundy.

² The Hague NA, Rekrek 127, f. 25v–55v.

³ Lille ADN, B 1605, f. 34v. For a Latin version: Van Mieris, *Groot charterboek* IV, 1011.

⁴ Beke, *Croniken*, 378; Quote: The Hague, Royal library, ms. 128 E 17, f. 167r.

⁵ Prevenier, Smit, *Bronnen* I, 1, 705, no. 1193.

⁶ Janse, *Pion*, 270–81; Jansen, 'Modernization', 260; Jansma, *Raad*, 200–3; compare: Prevenier, Smit, *Bronnen*, 703–7, 711–13, no. 1190–3, 1197. For an earlier pledge (11 May 1427): Van Mieris, *Groot charterboek* IV, 889; Prevenier, Smit, *Bronnen* I, 1, 690–1, no. 1159.

4.2 BANKRUPT DYNASTIES

4.2.1 Expenditures

Jacqueline was not alone in complaining about her growing financial problems; everywhere in the Netherlands—and further afield—the princely dynasties were slipping deeper and deeper into debt. A considerable proportion of the finances was spent on the princely household. The princely courts were structured in typically medieval style, where nobleness, seniority, tradition, and an effective administration vied with one another for supremacy. The prince and his family were of course the nucleus, surrounded by four to six important courtiers, often high noblemen, and around these varying numbers of permanent and semi-permanent courtiers and doubtless a large body of fortune seekers orbited like planets. The court ordinances that are available to us do not really tell us very much about the size of the court, but they do give us an indication of its growth. They show that the number of courtiers grew gradually in the fourteenth and early fifteenth centuries. In around 1350, the households of the counts of Holland-Zeeland and the dukes of Guelders comprised some seventy persons. At the end of the fourteenth century, both courts had more than a hundred courtiers, and the Flemish court was close to this number with 110 courtiers (1374). In the first half of the fifteenth century, in most courts that number exceeded 200. The following examples may be typical: when Philip the Bold succeeded in Flanders, he was surrounded by a household of some 100 persons. He took over 110 courtiers at the Flemish court, 80 of which he dismissed, leaving him with a household of around 130 people to maintain. Ten years later, this number had quadrupled to around 500 people—although this may have been due to the exceptional circumstances. In the first half of the fifteenth century, the number was estimated at 234. We may wonder whether Philip set a new standard, and whether other princes felt they had to follow his example. The information available does imply this. In 1407, 1415, and 1427, the court of Anton of Brabant numbered around 250 persons, and the court of Guelders had a similar number (Table 4.1).

Table 4.1. Estimate of the size of several provincial courts in the Netherlands⁷

Province	First half of XIV	Second half of XIV	First half of XV
Burgundy		100	
Flanders		110	
Brabant			250
Guelders	70	100	250
Holland	70	100	
Hainaut	100		

⁷ De Boer, *Rekeningen*, XLVIII; Nijsten, *In the shadow*, 59–68; Vandermaesen, Vandewoude, ‘Hof’, 29, 31; Mariage, ‘Hôtel’, 80; Stein, ‘Gifts’, 60–2; Paravicini, ‘Ordonnances’, 58; Vaughan, *Philip the Bold*, 190.

The court was of course a place where the administration, the finances, and jurisdiction came together, but it was above all the household of the prince, and its purpose was to be of service to him. It was a place of recreation, celebrations, and tournaments, where he demonstrated his prosperity and power with vast expenditure and gifts.⁸ The continuation of the *Brabantsche Yeesten* refers approvingly to the lustre that the court of Duke Wenceslas displayed in Brussels.

The duke was mostly engaged in ball games and dancing, with tournaments and jousting, enjoying music and celebrations with noble ladies. Most of the Brussels population was happy with this state of affairs since it meant a handsome profit for inns and wine houses and for all craftsmen: artists, artisans and goldsmiths, saddle makers and helmet makers, cloth makers and shoemakers, bakers, brewers, and innkeepers. All those who were engaged in trades earned money from the foreigners who followed the court.⁹

It was unthinkable for a prince not to participate in the courtly treadmill of feasts, tournaments, gift giving, and ostentation, Malcolm Vale comments quite rightly.¹⁰ Even when their fortunes were declining, the princely courts made no effort to economize on celebrations and tournaments (Table 4.2).

The court in Namur had a reputation as a true pleasure ground. The county was ruled for a large part of the fourteenth century by William I, also known as William the Rich (1337–91), who was known internationally for his ostentatious lifestyle.¹¹ Half a century later the Luxemburg countess Elisabeth of Görlitz was also unsuccessful in moderating her excessive spending habits: ‘sie was ain Puelerin, ut vertät das ihr unnützlich’, as the Viennese canon Ladislav Sunthaim (+1513) remarked, which translates loosely as: she was a lascivious woman and wasted her possessions

Table 4.2. Number of feasts and tournaments at the court of Brabant, 1406–30¹²

	Feasts and banquets	Tournaments
Anton (1406–15)	26	22
John IV (1415–27)	42	15
Philip of St. Pol (1427–30)	34	11

⁸ Literary patronage, known from the research by Frits van Oostrom (*Woord*) and Remco Sleiderink (*Stem*), although impressive, had only a very modest place in terms of finances.

⁹ ‘Caetsen, danssen, tornyen, steken, / Was meest des hertoghhen hanteren, / Met vrouwen ende joncvrouwen hoveren, / In vrouden, ende in melodien, / Des hem tvolc wel mocht verbliden, / Al meestdeel te Bruessel binnen; / Want men plecht daeraen te winnen / In herbergen ende in cabaretten, / Ende andre die hem ter neringhe setten, / Scilders, lormiers ende goutsmede, / Sadelers, helmslaghers mede, / Permentiers en cordewaniere, / Beckers, brieders, taverniere, / Ende al dat hem op neringe paste, / Wonnen aen die vremde gaste, / Die den hove volghden nare.’ *BY V*, 6938–3; compare: Chevalier-de Gottal, *Fêtes*, *passim*. Also see the interesting account by Buonaccorso Pitti of his visit to the Brabantine court: Quicke, *Pays-Bas*, 206–7 and n. 3; Fanyšová-Matějková, *Wenceslas*, 421–56.

¹⁰ Vale, *Princely court*, 93; Chevalier de Gottal, *Fêtes*, *passim*.

¹¹ Douxchamps, ‘Vente’, 131.

¹² Chevalier-de Gottal, *Fêtes*, 57–68, 105–11.

on a grand scale.¹³ It comes then as no surprise that the court swallowed up a large part of the income from the receiver-general. In Flanders in 1330, this was almost 45 per cent of the total expenditure; in Brabant (1364–74) and in Holland (1393–6) around 30 per cent, and we can assume that in any event, the fixed costs in the early fifteenth century were much higher.¹⁴

Nonetheless, it was probably not the expenditure on their courts that was the main millstone around the necks of the princes, but the costs of a protracted series of wars. More or less overshadowed by the major events of the fourteenth and fifteenth centuries—the Hundred Years’ War, the schism in the Church, the struggle against non-believers of all types—the provinces of the Netherlands were affected by a long series of major and minor wars from the second half of the fourteenth century. For modern historians this was nothing spectacular, but at the time it was undoubtedly more serious for the inhabitants. At the point when Burgundy took over power, Flanders was embroiled in the so-called Ghent War that lasted six years in all. This war was a struggle first by Count Louis II of Male, later Philip the Bold, against the city of Ghent, supported by changing coalitions. It was, in fact, a revolt that had alarming repercussions. When peace was struck in 1385, much of the country was destroyed, the princely domains were expropriated and the rule of law demolished.¹⁵

The fourteenth and fifteenth centuries also saw Brabant involved in a long succession of wars (Table 4.3). One example is the exhausting series of campaigns

Table 4.3. Wars of the duchy of Brabant (1350–1430)¹⁶

Year	Against
1356–7	Flanders
1364–5	Fauquemont
1366–8	Guelders
1370–1	Guelders-Jülich
1375	St Trond
1378–9	Liège
1385–90	Guelders
1397–9	Guelders
1412–13	Luxemburg
1418	Holland
1420	Holland
1424–5	Hainaut

¹³ Varenbergh, ‘Elisabeth de Gorlitz’; Würth-Paquet, ‘Table chronologique...Guillaume’, 2; Sunthaym, ‘Familia’, 574.

¹⁴ Uyttebrouck, ‘Notes’, 234–9; De Boer et al., *Rekeningen*, LI. If the costs of the prince’s family members, jewels, weapons, horses, etc., are included, the percentage is considerably higher. An important part of the prince’s revenue was spent directly by the lower receivers, without ever reaching the coffer of the prince.

¹⁵ Van Nieuwenhuysen, ‘Documents’, 193–209.

¹⁶ Boffa, *Warfare*, *passim*.

in the Meuse-Rhine region. In August 1371, Duke Wenceslas of Brabant departed via the Meuse towards the east. With support from Duke William IV of Jülich, the robber bannerets had time and again cleaned out tradesmen en route for Cologne. This simply had to stop! The Brabant army was impressive. No fewer than 2,500 fighting men, mainly noblemen, not only from Brabant but also from Flanders, Hainaut, Liège, and Namur; the great towns of Brussels and Leuven provided only a few contingents of archers. On 21 August this army entered Baesweiler, marking time there briefly before dealing the final blow and conquering the town of Jülich, the residence of William of Jülich. The enemy struck early in the morning while Wenceslas and his men were still attending mass. The Brabant army was in a tight corner, even more so because the duke was quickly surrounded by horsemen from Brussels, who had hung their horses with bottles of wine and delicious pastries containing salmon, trout, and herring. The Brussels warriors first had to be driven out before the Brabant army could get into battle formation. The battle was already lost before it started. Wenceslas' campaign ended in complete failure, which no doubt meant embarrassment for the duke with his courtly friends, but above all in a total disaster for the Brabant treasury. The duke and his fellow combatants were taken prisoner with the ransom being the princely sum of 40,000 pounds. The effects of the battle, and not only the financial consequences, were felt for a long time. The relations with the dukes and counts of Guelders and Jülich were ruined, and in the eighties and nineties, this led to lengthy and destructive forays in the north of the duchy.¹⁷ At first, the government of Duke Anton and his sons seemed to bring peace, but this peace was short-lived. Anton himself waged a war in 1412–13 in Luxemburg, the toxic dowry of his second wife Elisabeth of Görlitz.¹⁸ During the government of his son John IV, the duchy of Brabant was again embroiled in a series of wars in 1418, 1420, and 1424, mainly as a result of his failed marriage to Jacqueline of Bavaria.

The question is whether matters in Holland and Zeeland were better under Bavarian rule. We have already seen how these provinces were affected in 1425–8 by a destructive internal war, and this was not the only one. In the period from 1396 until the takeover of power by Burgundy, the counties were almost continually at war (Table 4.4). Between 1396 and 1400, Albert waged several campaigns in Friesland to try to subjugate the inhabitants. Subsequently, he and later his son William VI waged a prolonged war against the lords of Arkel, rulers over a small but strategically located lordship in the border area between Utrecht, Guelders, Brabant, and Holland. Eventually all these provinces became involved in the struggle. The Hollanders were victorious, but this had all the hallmarks of a Pyrrhic victory. War is a costly business, very costly. For the Holland-Zeeland treasury, the bill for this relatively unremarkable conflict amounted to an enormous 44,000 pounds, which does not even take into account the contribution from Hainaut. To put this sum into context, the annual revenues of the count at

¹⁷ Fantysová-Matějková, *Wenceslas*, 327–52.

¹⁸ Uyttebrouck, *Gouvernement*, 479–90.

Table 4.4. Wars of the county of Holland (1350–1430)

Year	Against
1355–6	Utrecht
1371	Guelders
1373–5	Utrecht
1393	Altena
1396–1401	Friesland
1401–12	Arkel
1418–20	(War of succession)
1425–8	(War of succession)

this time amounted to 5,000–6,000 pounds, an amount that was normally barely enough to finance the count's household.¹⁹ Following the conquest, the revenue from the lordship of Arkel for the treasury of Holland was virtually zero. The lordship was therefore quickly given away as appanage to John of Bavaria, who would use the strategic location to maximum effect against William's own daughter Jacqueline.²⁰ From 1418 new wars followed, in 1418–20 at the time of the succession by John of Bavaria and in 1424–8 with and against Jacqueline of Bavaria and Humphrey of Gloucester. These were interspersed with the Hook and Cod wars that continued to flare up.

The situation was not very different in the other principalities of the Netherlands. Hainaut, united in a personal union with Holland and Zeeland, often shared the political fate of these counties. At the start of the fifteenth century Hainaut became indirectly involved in the conflict between Burgundy and Armagnac and in the struggle against the rebellious towns in the prince-bishopric of Liège. In 1424–5 the troops of Jacqueline of Bavaria and Humphrey of Gloucester entered the county, sparking a military response by Burgundian and Brabant troops. The south of Hainaut was particularly hard hit.²¹ The situation was similar in Namur, Luxemburg, and Guelders. Namur was involved in a desperate struggle with the prince-bishopric of Liège about a number of towns in the border region. Luxemburg was governed by a long series of protracted conflicts between noble factions, and Guelders was struggling against Brabant, Jülich and Berg, Utrecht, and eventually Burgundy. Moreover, the duchy was scourged by continuing internal unrest.²² The effects of this long series of minor wars were undoubtedly significant for the inhabitants of the provinces. The country was destroyed; the harvest lost; and trade was stagnant. The consequences for the treasuries of the princely dynasties were possibly even greater: the result was a catastrophic increase in expenditure.

¹⁹ Bos-Rops, *Graven*, 109, 146–8; Waale, *Arkelse oorlog*, 195–205.

²⁰ Bos-Rops, *Graven*, 105–6.

²¹ Sivéry, 'Entrée', 328–9.

²² Niermeyer, 'Sticht', 351–7.

Apart from expenditure at the court and the costs of waging war, enormous sums were spent on a whole range of diplomatic agreements and declarations, the princes' marriages and the peace treaties; I have already given a brief picture of these in Chapter 2. These sums could resurface even after many, many years. We saw earlier how in 1409 Elisabeth of Görlitz was given a sum of 120,000 Rhenish guilders as a marriage gift by her uncle Wenceslas. A part of this sum continued to circulate until 1462 at the time of the acquisition of Luxemburg. But it didn't stop there. Duchess Joanna of Brabant married William IV of Holland in 1336. According to the marriage contract, if her husband were to die, she was entitled to a widow's pension of 8,000 to 10,000 pounds a year. Count William did indeed pass away in 1345, and Joanna lived for a further sixty years. Sums of money were paid to her at irregular intervals, but it took a decision by an arbiter in 1408 before the remaining 15,000 pounds was forthcoming.²³ In around 1467 Charles the Bold, in his capacity as count of Holland, suddenly made a claim to money that the dukes of Guelders owed to the treasury of Holland. These amounts were agreed in part on the occasion of the marriage of Catherine of Bavaria and William of Jülich in 1377—almost a century before—and were in part normal loans by the county of Holland from the eighties and nineties. In 1470 Charles the Bold was able to use these outstanding sums as 'kleines Erpresserchen' to fund his ambitions to acquire the duchy of Guelders.²⁴

Strategy

It was not easy for the princes to find a solution to the high level of expenditure. Traditionally they received almost all their finances from their domains, made up from a variety of sources of income: the yield from farmland, law, tolls, coinage, etc. What these had in common was that they were sensitive to market fluctuations—a number of years of poor harvest was also disastrous for the treasury—but they also had a very limited flexibility. For the princes it was almost impossible to increase the income through specific policies. The question is therefore what options they had to fund their extravagant lifestyle, the wars, and the treaties.

The princely dynasties rarely succeeded in setting up more than a basic financial administration. Financial accounting generally took place in the princely council, where the scarce financial specialists were quickly outvoted by the feudal mass—more will be said about this in Chapter 7. From this perspective it is not surprising that the financial policy showed a clear lack of long-term vision. The princes almost always chose solutions that delivered large sums of money in the short term, but that were more damaging for the treasury in the long term. It was very common practice to improve the financial position by disposing of the domains. In exchange for a loan, but sometimes also for political or military support, part of a princely domain would be relinquished to a financier. After some time and following

²³ Bos-Rops, 'Hollandse douarie'; *Graven*, 106; Piérard, *Douairies*.

²⁴ Van Gent, 'Alder scult'.

repayment of the agreed sum, the dynasty could buy back the domain. Of course, in the longer term, this policy was devastating. The disposal of domains had a serious effect on the princely income. In 1407, a year after Joanna's death, the Brabant States pointed out to Duke Anton how his predecessor handled the duchy and that: 'The territory and the borders of Brabant have been shrunk, violated, alienated and pawned in all kinds of parts and places and on all sides, both in villages and in rents, in lordships and in many other ways'.²⁵ André Uyttebrouck showed that both Limburg and the Lands of Overmaas were mortgaged for almost the whole period between 1380 and 1430, mostly on account of the debts of the Brabant dukes. This can be illustrated with a brief summary: from 1413 Wassenberg was mortgaged to the lord of Heinsberg as security for a debt of 20,000 Rhenish guilders. The same gentleman governed Rolduc for debts amounting to 5,000 old écus, 2,000 French crowns, and 1,000 gold Francs. Limburg was in the hands of the count of Virnemborg as security for 15,066 French crowns. Kerpen and Lommersum were encumbered with 6,000 French crowns; Valkenburg 12,000 Rhenish guilders.²⁶

The situation was similar in Hainaut, Holland, and Zeeland. Against the explosively rising debts and expenditures there was also the gradually diminishing income from the traditional domains. The following numbers illustrate the domain's deterioration. Gérard Sivéry calculated that between 1400 and 1415, the income from the Hainaut domain dropped from 60,000 to 31,000 pounds, and subsequently fell even further to 15,000 pounds in 1425: a reduction of 75 per cent in 25 years! Maurice Arnould added that at least half the income went towards paying off debts.²⁷ It comes as no surprise then that the financial officers of Burgundy were forced to conclude in 1429 that the domain 'par long temps a esté en guerre et par ce grandement admenry en rentes et revenus'.²⁸ As early as the middle of the fourteenth century, Philip of Leiden was complaining about the frequent disposal of the count's rights in Holland and Zeeland.²⁹ Things were no different in the fifteenth century. In the early years of the century and between 1427 and 1430 important fiefdoms—eventually also part of the princely domain—were awarded to noblemen.³⁰ Land was also withdrawn from ducal authority. In the Land of Heusden, a disputed area on the border of Brabant and Holland, the count's land ownership in 1375 amounted to 343 morgens. When the Burgundian administration drew up the accounts in 1431, only ninety-seven morgens were left. The decrease was due not only to the counts of Holland still giving away or pledging property, but also to the fact that certain domains simply disappeared

²⁵ For the Brabant annuities under Joanna and Wenceslas, see: Bigwood, *Régime*, 49; for Anton's politics: Uyttebrouck, *Gouvernement*, 480–2.

²⁶ Uyttebrouck, *Gouvernement*, 66–93.

²⁷ Sivéry, *Structures*, 533–4; Arnould, 'Estimation', 144, 148, 218–19; Sivéry, 'Entrée', 334–9; Bruwier, 'Notes', 153–4; in 1425 and 1426 John IV allowed the town of Mons to issue annuities (Devillers, *Cartulaire IV*, 520–2, 565–6), in 1428 this town is said to have been heavily burdened with debts (*ibid.*, 660–1).

²⁸ Devillers, *Cartulaire V*, 81.

²⁹ Timmer, *Profeet*, 49–64.

³⁰ Janse, *Ridderschap*, 163–9.

from the administration; in one case this was forty morgens of land—10 per cent of the original possessions.³¹ The perpetual wars of Holland and Zeeland also led to enormous debts being amassed. In 1419 John IV concluded the Treaty of Woudrichem with John of Bavaria. In so doing he landed Holland and Zeeland with a debt of 24,750 pounds. As a result of this burden, the whole of Holland and Zeeland was pledged three times: in 1420, for twelve years to John of Bavaria, in 1425, again for twelve years to Philip the Good, and in 1430, for eight years to the lords of Borselen. Even if these were temporary disposals, the debtors could buy back both counties for the same sum, the pledge sum was so high that the States of Brabant blamed their duke in 1420, for having sold Holland and Zeeland rather than having pledged them.³²

There was a second option open to the prince, namely to impose debts on the offices, particularly those of the receivers and bailiffs, a policy that was applied mainly in Holland-Zeeland and to a lesser extent in Brabant and Flanders. Further research is needed to determine whether this policy was applied elsewhere. From the fourteenth century, it was normal for a receiver or bailiff to lend the duke or count a sum of money before being appointed to his position. He could include this loan in his accounts and at the end of his appointment, pass it on to his successor. These measures could be draconian. In 1404 the debts on the offices in Holland rose to almost 15,000 pounds. The annual income amounted to only 1,500 pounds, one tenth of the debt on which it was based. The logical consequence was that the offices of receivers and bailiffs, or parts of these, were pledged or sold, which reduced the domain income even further.³³

A third means of raising funds was simply to borrow money from citizens or noblemen. However, a consequence of this was that debtors exploited their position financially, which in the long term, led to a reduction in the princes' finances. A typical example is the amount of almost 25,000 pounds that five Holland and Zeeland noblemen gave as an advance to John IV and Jacqueline in 1420. The obligation to repay passed from John and Jacqueline to John of Bavaria and subsequently to Philip the Good. This served the creditors well. Floris of Borselen, one of these noblemen, received in 1430, along with two others, in pledge, the whole of Holland and Zeeland for a period of eight years. The three of them were able to take almost all the political and financial decisions, albeit that they were deposed a year and a half later for financial malpractices and lining their own pockets at the cost of the princely treasury.³⁴ The same happened in 1420, when a number of Brabant towns and noblemen objected to the clique that surrounded Duke John IV, a group that included his creditors. They were explicitly blamed for having made themselves rich at the expense of the treasury and had ruined the princely state.³⁵ We do not know the exact sum that four noblemen

³¹ Hoppenbrouwers, *Middeleeuwse samenleving*, 343–5. The numbers mentioned exclude several amounts outside the dikes, the area of which is unknown to us.

³² Van Riemsdijk, *Opdracht*, in particular 55–8; Bos-Rops, *Graven*, 153; Brussels AR, MD 1483, f. 8r–8v.

³³ Bos-Rops, *Graven*, 30–1, 77–82; for Brabant: Kerremans, *Étude*, 77–81.

³⁴ Stein, 'List'. ³⁵ Brussels AR, MD 1483, *passim*.

advanced to Philip of St Pol in 1429, but we do know that they managed to control the Brabant Council until Philip's death—and three of them for even longer. The fourth, John of Schoonvorst, died in prison, surrounded by the pervasive odour of financial malpractice and fraud. Apparently he was personally responsible for the fact that the parts of the Lands of Overmaas and large parts of the ducal domains were disposed of.³⁶

A fourth possibility was to issue so called *renten*, heritable annuities or life annuities. When these were issued, the prince would receive a sum of money immediately and in exchange would pay an annual allowance to the buyer of the annuity. It appeared earlier that the Arkel war had cost the treasury of Holland over 44,000 pounds. This amount was covered partly by annuities valued at 8,285 pounds that cost the treasury annually an amount of 750 pounds. New annuities valued at 9,000 pounds were sold by the treasurer of Holland and Zeeland in 1418 for Jacqueline of Bavaria and John IV. The money was needed for the struggle against John of Bavaria who was entrenched in Dordrecht. The question is whether this in any way benefited the count's finances. For the treasurer it meant a one-off, more than doubling of his income, but the interest rate was exorbitant, around 11.5 per cent, and the consequences can easily be guessed: a large increase in the expenditure on annuity payments, costing 923 pounds a year.³⁷

A fifth option open to the princes for meeting their financial needs was to operate an active coinage policy. In theory the minting of coins was a prerogative of the prince and constituted an interesting source of income because when minting new coins part of the gold or silver value could be creamed off—an estimated 3–6 per cent—and transferred to the treasury as seigniorage. Where this represented just a small part of the actual currency value, this could be a very important source of income for the prince. For the counts of Holland, the minting of coins generated in exceptional cases up to 70 per cent of the income.³⁸ Currency devaluation was an equally interesting option. By reducing the precious metal content, it was possible to mint more coins with the same amount of gold and silver. This explains why the princes of the Netherlands were generally happy to reduce the value of their coinage. As an example, Holland's golden écu had a gold content of 23.5 karats in 1395; in 1429 this had reduced to 15.5 karats. The Hainaut currency was able to maintain its value against the strong Flemish coinage, but the same did not apply for the Holland and Brabant coinage. This can be illustrated by comparing the value of the Brabant penny in relation to the Flemish pound in the period from 1368 to 1434. In 1370 the Flemish pound was worth 76 Brabant pennies; seventy years later the value had risen to 408 pennies.³⁹

A sixth and final option was for a ruler to impose taxes on his subjects by negotiating aids. I will address this issue further in Chapter 8, but I can already indicate

³⁶ Uyttebrouck, *Gouvernement*, 733–5. For the other nobles: 683, 715–16, 726.

³⁷ Bos-Rops, *Graven*, 170; for the *renten*, see: Zuijderduijn, *Medieval capital markets*, *passim*.

³⁸ Bos-Rops, *Graven*, 34.

³⁹ Information based on Bos-Rops, *Graven*, 339–43; Marsilje, *Financiële beleid*, 214–22; Sivéry, 'Entrée', 326; Spufford, *Handbook*, 224–5.

that until the second half of the fourteenth century, the contributions from the subjects were enough to prevent the prince becoming bankrupt. Domains were bought back and again placed under the rule of the count or duke, and princely debts were cleared. These were incidental donations primarily from the towns to the prince, and the indigenous dynasties never succeeded in arranging a systematic collection of taxes.

Debts

At the end of the fourteenth century, the princely dynasties had got themselves into an impossible financial position. The increasing expenditures were being funded by disposing of the sources of income. Consequently, the income of the dynasties also reduced. This situation was more or less manageable until the late fourteenth century; in emergencies the prince's subjects provided an aid to pay off his debts. However, an enormous explosion of debt occurred among the ruling dynasties at the end of the fourteenth and the start of the fifteenth century, and countless princely dynasties were on the verge of financial ruin. The problems reached a climax on the eve of the assumption of power by Burgundy. A brief inventory will clarify the situation.

On 5 July 1385, shortly after he had succeeded Louis of Male as count of Flanders, Philip the Bold appointed a five-man committee, comprising four Flemish officials—two financial specialists and two councillors—and Jean Cretey, a master of the French *Chambre des Comptes*.⁴⁰ They were tasked with auditing the accounts of the receivers and advising on a more structural arrangement for the Burgundian administration. On 12 October, during the final negotiations with the rebellious Ghent, the committee produced a document entitled *Memoires touchans les païs de Flandres, d'Artois et de Rethelois*.⁴¹ The forty-two articles comprised a detailed analysis of the financial status of the counties mentioned, and advice about measures to be taken. The image that arises is not a happy one. It is clear how damaging the previous period of conflict had been for Flemish society. Princely authority was being eroded. The lord of the castle of Petegem exerted a rule of terror over the surrounding countryside and enriched himself at the cost of the inhabitants; bailiffs, the key figures in the administration of justice, were present on payment days, but otherwise were noticeable for their absence. It was not the erosion of the count's authority that caused the committee members most concern; their misgivings centred primarily on the income from the count's domains, which seemed to have been so badly affected. Many receivers met their demise in the conflict, and many domains were destroyed. What was worse was that the late Count Louis II had disposed of countless domain properties to servants, who now appeared none too willing to return them, so that they threatened to be lost to the count permanently. Mint masters now only rarely provided seigniorage to the

⁴⁰ Van Nieuwenhuysen, 'Documents', 74–5.

⁴¹ Van Nieuwenhuysen, 'Documents', 193–209, based on Lille ADN, B 881; compare Dijon ADCO, B 486.

government; the count's share of the excise duties from Bruges, Ypres, St Omer, and Arras no longer went to the treasury. The churches in Lille were turned into taverns. To the great dismay of the town administration and the local traders—and almost certainly to the great pleasure of the other citizens—they supplied wine at rock-bottom prices. As spiritual institutions they were not obliged to pay excise duties to the town or the duke. The tenor of the piece is clear: after five years of rebellion, chaos reigned and everyone was trying to get rich at the cost of the government. The committee provided clear policy advice for the future of Flanders, Artois, and Rethel: Philip the Bold should first ensure the recovery of his income from the count's domains.

While the situation in Flanders on the eve of the takeover of power by Burgundy was concerning, but not hopeless, in the small, poor region of Namur, wedged between Liège and Brabant, the situation was dramatic. The count had already passed the point of no return on the road to bankruptcy. In the middle of the fourteenth century the county was ruled by William I, known as 'the Rich'. Unfortunately, William's nickname had less to do with an excess of income and more to do with his ostentatious lifestyle. William found himself forced to sell his wife's inheritance, the Land of Vaud, for a sum of 160,000 golden guilders. This proved not to be an adequate solution. In the 1420s, William's son, the childless John III, was left with the problem. He inherited from his father not only Namur, but also an enormous burden of debt and a long-lasting dispute with the much larger principality of Liège about *les dix-sept villages*, located on the border of both provinces. The never-ending dispute was too much for him. In 1419 he attempted to turn the tide by selling parts of his domains, but in vain.⁴² In 1421 the debts of the small county amounted to 137,500 crowns, and it was clear that John could no longer keep his head above water. He was forced to sell off the whole of his county, with Philip the Good as a grateful bargain hunter. John retained the usufruct of Namur, and it was not until after his death that Philip was able to succeed him. It is questionable whether Count John was happy with this injection of finances because he had promised to hand over the county debt free and the amount for which he sold it was not enough to settle the outstanding debts.⁴³

In Brabant, too, a much more significant principality than the miniature state of Namur, the situation around the transition from the fourteenth to the fifteenth century, was an out-and-out catastrophe. If in the late thirteenth century and the first half of the fourteenth century the administrations of John I, John II, and in particular John III were not famed for their responsible financial policies, under their successors everything became much worse. The wars of the second half of the fourteenth century—the Brabant wars of succession, the battle at Baesweiler, the wearying struggle against Guelders—meant successive drains on the treasury. And not only this, there was also the extravagant lifestyle of the frivolous Duke Wenceslas and Duchess Joanna.⁴⁴ In the period from 1363 to 1374, the Brabant treasurer ended

⁴² Brouwers, *Aides* III; Douxchamps, 'Vente', 131–2.

⁴³ Douxchamps, 'Vente', *passim*.

⁴⁴ Laurent, *Loi*, 19–21; Martens, *Administration*, 298–301; compare: Uyttebroeck, 'Notes', 255–7.

almost every year with a considerable deficit. Between 24 June 1386 and 31 December 1389, the income from the domains amounted to around 95,000 pounds, or 27,000 pounds a year. The outgoings, on the other hand, were approximately double this amount, 184,000 pounds, or 52,500 pounds per year.⁴⁵ But that was not all. The ducal household was an almost bottomless pit, something about which the Brabant towns complained heartily: 'Quelque argent qu'ilz baillent ne aide riens, quar tousjours madame est plus endebtée'.⁴⁶ In 1395 Thierry Gherbode, secretary to Philip the Bold, investigated the financial and administrative situation in Brabant, where his master hoped to become the successor. Gherbode's *Memoire d'avoir avis sur l'estat et gouvernement de l'ostel et du pays de ma dame de Brabant* paints an alarming image of the situation in the duchy. Years of mismanagement, failed political and military escapades, corruption, and self-enrichment had taken their toll. The position of the duchess was so weak that the only way she could raise any support was with hard cash, which she didn't have, and that she could only acquire by disposing of the princely domains for extended periods or by making heavy concessions to the towns in exchange for financial support. The administrative decline at the Brussels court of the powerless, elderly, sick Duchess Joanna is a striking reflection of the dramatic situation. At the time Joanna was also suffering from dementia, her household was ruled by two court ladies, and she was kept in complete ignorance of the political and financial state of affairs.⁴⁷

The worst was yet to come. Her successor Anton was provided by his father with a considerable injection of finances, but he rapidly bled the domain dry with his costly activities in France and above all by the protracted field battles in 1412 and 1413 that were apparently necessary to gain control of the dowry of his wife Elisabeth of Görlitz in Luxemburg.⁴⁸ In 1415 his son John IV was not only given the title of Duke of Brabant but was also saddled with immense debts.⁴⁹ In the following years, John succeeded in making an even greater chaos of the finances. Under his administration there were at least three large-scale military campaigns, particularly relating to the government of the domains of Jacqueline of Bavaria. In 1425 he was forced to offer the whole of his domains and income to his own towns as security, in return for their willingness to guarantee a loan. The debts that he then incurred were still having an effect on the Brabant treasury fifteen years later.⁵⁰ When Philip of St Pol assumed power in 1427 the situation was completely hopeless. He continuously had to tap his subjects for more money, and he demeaned himself deeply before them. It was all to no avail. In 1429 his court escaped bankruptcy by a hair's breadth:

⁴⁵ Uyttebrouck, 'Notes', 240–1, table II, 246 and *passim*.

⁴⁶ Laurent, Quicke, 'Documents', 153–8; Fantysová-Matějková, *Wenceslas*, 421–56. For the financial situation under Joanna after the death of Wenceslas, compare: Graffart, Uyttebrouck, 'Quelques documents', 68–9, *passim*.

⁴⁷ The publication of this document was included in the dossier published in Graffart, Uyttebrouck, 'Quelques documents'. The uninformative title of this article does not do justice to the great importance of the documents for our understanding of the late medieval territorial administration. A comparable text was published earlier in: Laurent, Quicke, 'Documents', 153–8, no. 38.

⁴⁸ Uyttebrouck, *Gouvernement*, 479–90.

⁴⁹ Favresse, *Avènement*, 167.

⁵⁰ Thielemans, 'Emprunt', 457 and no. 1; compare: Bigwood, *Régime*, 49–51.

As we requested and begged the two secular orders of our land of Brabant last year in many instances and in many assemblies to permit us a convenient and honourable state, and we have experienced great damage, costs and dishonour, which could have been even worse if our state had become bankrupt and the expenses of our court had been stopped, which would have happened in March last year if we had not taken other measures.⁵¹

Fortunately, four bannerets were prepared to support the unfortunate Philip financially, in his words, 'as good and loyal Brabanders'.

The situation in Hainaut, Holland, and Zeeland was not much better. In 1431 a financial committee from Lille travelled to Antwerp to audit the accounts of the receivers in Holland and Zeeland. The auditors examined with increasing alarm the documents that the receivers and bailiffs presented to them, and out of concern they listened to the merchants from Holland who visited the Whitsun market in Antwerp. From these discussions they learned not only of the lack of a strong government, manipulations by Frank of Borselen, the future husband of Jacqueline of Bavaria, of endemic party conflicts, but above all, they learned of the disposal of the princely domains and of the widespread ruin of the domain.⁵²

Obviously, the political and military developments had their effect on the provincial finances. According to calculations, the shortfall in the middle of the fourteenth century, under Count William IV, amounted to more than 13 per cent annually. In 1372–3, Albert of Bavaria's annual income amounted to just over 29,000 pounds. After deducting the fixed costs, the count retained just a few hundred pounds for his own use. He supplemented his finances through loans from receivers and bailiffs, in so doing—literally—mortgaging his future.⁵³ With the government of the counties of Holland and Zeeland in 1420, John of Bavaria also acquired massive debts. Yvonne Bos-Rops has demonstrated how he all but sold his soul to the five major towns, in exchange for the glistening gold of loans and aids.⁵⁴ In around 1423 it became clear that he was not able to settle his debts; he was unable to pay the annuities that had been issued in Brabant and Flanders. Following lengthy negotiations, the towns eventually decided to grant him an aid to safeguard the payment of these annuities. The arrangement with the Flemish creditors was agreed in Bruges, in March 1424.⁵⁵ It does not seem to be pure coincidence that less than a month later, also in Bruges, John of Bavaria appointed Philip the Good as the successor to his appanage of Holland, a first step en route to the incorporation of Holland in the Burgundian dynasty.⁵⁶

⁵¹ 's-Hertogenbosch City Archives, Oud archief, 72, f. 29r–40r.

⁵² Stein, 'List', *passim*. Van Riemsdijk, *Tresorie*, 323, 352; publication of letter of appointment: *ibid.*, 462–3.

⁵³ Kort, *Archief I*, 133–7.

⁵⁴ Bos-Rops, *Graven*, 182.

⁵⁵ Zijderdijn, *Medieval capital markets*, 94–100.

⁵⁶ This does not refer to the counties of Holland and Zeeland, but to the appanage that John of Bavaria still held in Woerden, Gooiland, Dordrecht, and South Holland; Bos-Rops et al., *Holland bestuurd*, 204–5, no. 51; *Graven*, 172, 189; Devillers, *Cartulaire IV*, 373–4. It undoubtedly played a role that John of Bavaria needed support because of the threat of an incursion by Jacqueline of Bavaria and Humphrey of Gloucester.

Financial deficits can lead to embarrassing situations, as John of Bavaria learned. In 1419 the Brabant-Holland nobleman John of Nassau provided him with military support in exchange for a sum of 5,000 Rhenish guilders, a sum that was not repaid, undoubtedly because John of Bavaria lacked the money to do so. After endless proceedings, the despairing John of Nassau decided to publicize the situation by making a fierce attack on the credibility and good honour of his debtor. He wrote a letter to dozens of counts, noblemen, and towns in the Empire—including Holy Roman Emperor Sigismund, John the Fearless, the Electors, and the towns of Brabant and Holland—in which he denounced John of Bavaria as dishonourable. A miniature indicates what he thought of him and his reliability: John is pressing his seal onto the back of a sow (Figure 4.1). The text reads as follows (as far as it is legible):

I, son of Hainaut and Holland, stand behind this sow and press my seal onto its rear. It can no longer be used for letters, because it is pledged with my oath and my honour to the young count John of Nassau. Foolish is he who still serves me.⁵⁷

This must have made quite an impression in court society.

After the death of John of Bavaria, John IV again pledged the counties to Philip the Good, largely on account of his heavy financial debts. In 1433, on the definitive transfer of the provinces to Philip the Good, Jacqueline of Bavaria wrote an open letter to the Pope, the Emperor, the King of France, and the Christian community gathered in Basel, in which she justified her action by pointing out that she was unable to manage the enormous debts of these provinces: ‘Ne les pouoie affranchir ne dechargier des grans charges et debtes dont ilz estoient et sont chargez et endebtez’.⁵⁸ Jacqueline was right.

The story now becomes monotonous. Twenty years later the duchy of Luxemburg, and the neighbouring county of Chiny, were burdened by large debts. The regent, the licentious but poverty-stricken Elisabeth of Görlitz, was unable to ensure an effective administration. The debts mounted to such unmanageable proportions that she was forced to pledge her seal mould to the Zeeland-Holland nobleman Frank of Borselen—this at least prevented her incurring any further major expenses.⁵⁹ In 1441 she attempted to sell the duchy to Jakob of Sierck, her neighbour, creditor, and also archbishop of Trier. Her motivation is telling:

Our above mentioned duchy of Luxemburg and the county of Chiny are burdened with heavy debts, levies, divestments and assignations; they are divided and largely pledged and burdened with debts... Consequently many disputes and uncontrollable

⁵⁷ ‘[Ick...] Sta vor dem hynder dieser su, / Ick son van H[ollant end Hennegau] / Ende druck alda myn sigel an / Tot brieven et nyet mer is danck / Want ick et late to pande stan / Mit eydesgelofft en miner ere / Van Nassouwe Johan dem jongen greven / Sot is he dey my dienet mere.’ Götze, ‘Scheltbrief’, *passim*; Kossmann-Putto, *Heimelijk gerecht*, 42–3; Hessisches Hauptstaatsarchiv Dept., 170, no. 1026.

⁵⁸ Lille ADN, B 1605, f. 34v.

⁵⁹ Verkooren, *Inventaire, Luxembourg*, 216 no. 1634. Brussels AR, MD 2, f. 75r–76r. For the debts owed to Philip the Good, see The Hague NA, Hof van Holland 1, f. 130v–131r; Stein, ‘Affaire’.

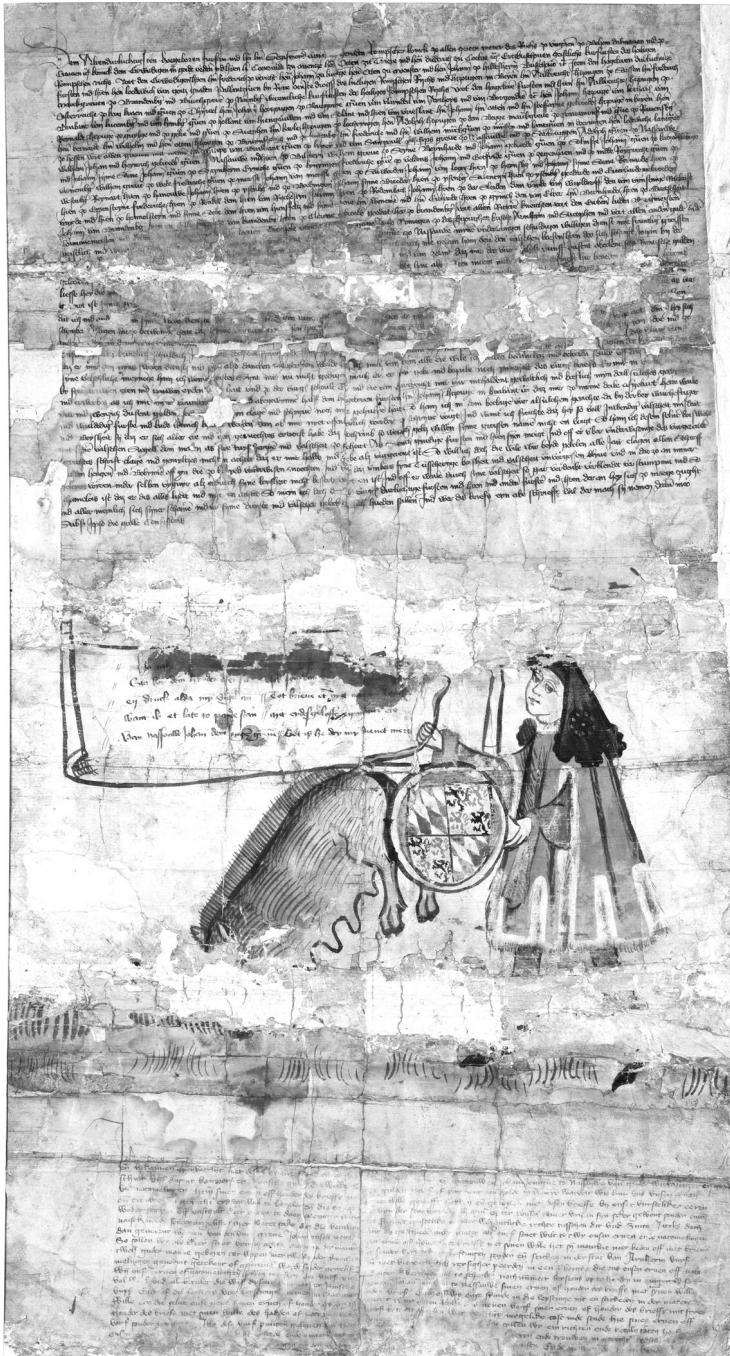


Figure 4.1. John of Nassau's letter of abuse (ca. 1420). Hessisches Hauptstaatsarchiv, Dept. 170 no. 1026

events have taken place in these lands and their inhabitants have been repeatedly attacked and violated.⁶⁰

The sale to the archbishop of Trier came to nothing and a short time later Philip the Good intervened. In these circumstances, he believed, it was his duty as her guardian to assist poor Elisabeth; he bought the bankrupt principalities. Many Luxemburg nobles saw this in a different light, as can be seen by the ensuing series of vicious riots that ravaged the duchy for a long time.⁶¹ This does not negate the fact that the Luxemburg government finances were in a deplorable condition. In 1464, thirteen years after Elisabeth's death, the Brussels audit office produced a summary of the domains that had been alienated. The list is endless and the final account shows that these domains were pledged for a sum of 150,000 Rhenish guilders, largely old, long-term arrangements.⁶²

Guelders was the final Burgundian acquisition. The debts of the Guelders' Duke Arnold (1423–65, 1471–3) are almost legendary. The total of the income and outgoings produced by the treasurer of Guelders should be regarded with some reservations, but it does give an indication of the situation. Over the period from 1388 to 1465, forty-seven accounts were submitted, only four of which showed no deficit. In particular from the 1440s, the deficits were spectacular. In 1442–3 Arnold's expenditure was six times his income. However, this did not prevent him from making another pilgrimage to the Holy Land. This had its consequences. As an example, in 1435, the duke had to pay for the siege of the town of Buren. Of course he tried to claim the money from his officers. His receiver advanced him a sum of 4,800 Rhenish guilders at a term of three years, something he should not have done. In 1439, it became apparent that the duke was remarkably forgetful: 'So I, poor man, had to go after my graceful lord, complaining for more than three years'.⁶³ In 1458 Arnold wrote a memorandum to the town of Nijmegen, complaining that he had been plagued by heavy debts from the very start of his rule. This was indeed true. The pledging of the duchy of Guelders to Charles the Bold in 1472 was not only caused by the dynastic problems of the duke, as we can assume after reading an inventory of the domains of the region of Nijmegen, drawn up by several Burgundian officials in 1473. According to their information, the annual income of the domain of Nijmegen was almost 17,000 pounds. Two thirds of this (11,700 pounds) was disposed of through pledges, sale, enfeoffment, or appanage. The actual income of the duke amounted to just 5,233 pounds, of which a large proportion was taken up with fixed costs.⁶⁴

The only conclusion that can be drawn from this brief overview is that the provincial dynasties of the Netherlands at the start of the fifteenth century were struggling under an unmanageable burden of debt. In the final years of the fourteenth

⁶⁰ Würth-Paquet, 'Table... Elisabeth de Görlitz', 41; For Elisabeth's debts to the lords of Sierck, see Bigwood, *Régime*, 47–8.

⁶¹ Pépote, *1453 Conflict*. For the political developments, compare, Vaughan, *Philip the Good*, 277–8.

⁶² Werveke, 'Charges'.

⁶³ Nijsten, *In the shadow*, 94–7 and n. 33; Van Gent, 'Boeman', 102.

⁶⁴ Kuys, 'Gelderse domeinen'.

century and the first decades of the fifteenth century, endemic warmongering and a luxurious court culture resulted in a spectacular increase in expenditure. These expenses were funded in the short term by alienating the sources of income, thus mortgaging the future. In modern terms, there was a lack of any consistent policy and a long-term vision. In the first instance, the explosion of debt seemed to be a problem for the prince—after all the domains were considered his hereditary possessions—but further consideration shows that this was not the case. Apart from the direct consequences, the increasing burden of debt, the lack of payments to debtors, and the ever increasing taxes resulted in major social upheaval.

4.3 FINANCIAL AND SOCIAL REPERCUSSIONS

In 1428 the States of Brabant granted an aid of 325,000 crowns to Duke Philip of St Pol, to be paid in five annual instalments. However, they attached stringent conditions to their generosity. The larger foreign creditors had to be paid in the first year, with particular priority being given to paying the debts in Bruges and Liège. The second instalment and part of the third had to be used either to buy back the *renten*, or to alleviate the duke's debts to the nobles and towns. The fourth instalment was also reserved for this purpose. If any money was left over at the end, the fifth and final payment would be used to buy back the towns and privileged communities that had been sold off. Philip of St Pol himself received nothing. The Brabant aid of 1428 was not the only one. The aids of 1362, 1383, 1385, 1407, 1421, and 1424 were largely intended to alleviate the duke's debts.⁶⁵ In Holland and Zeeland, in 1423, the money did not even reach John of Bavaria's receiver-general. Instead it was spent directly by the towns on the annuities resting on the domains.⁶⁶ The summaries produced by Yvonne Bos-Rops show that during the reigns of William VI, Jacqueline of Bavaria, John IV, and John of Bavaria almost all the money from the aids was used for redeeming the count's outstanding debts.⁶⁷

It was the prince's deficit that caused the debts, but the consequences went far beyond the safe walls of the court. The involvement of the towns, and sometimes the nobles in princely finances had a long history. The Brabant towns had secured the repayment of ducal debts in 1194, 1243, 1248, and 1287. The same occurred on a large scale in Holland during the reign of Floris V (1256–96).⁶⁸ These securities were very favourable for the princes because, thanks to the connections of the merchants and above all their greater solvency, they were able to borrow money on the international credit market at a much lower rate, while the towns and burghers carried the risk. Desperate beneficiaries might take out their grievances on the subjects of the tardy prince, merchants, travellers, or pilgrims; bring them to a court

⁶⁵ Moureaux-Van Neck, 'Aspect', 87–8.

⁶⁶ Bos-Rops, 'Incidentele gunst', 24.

⁶⁷ Bos-Rops, *Graven*, 373–4.

⁶⁸ Van Uytven, *Stadsfinanciën*, 153 and n. 3; Zuijderdijn, 'Emergence', 341; *Medieval capital markets*, *passim*.

of law; hold them hostage; and confiscate their property. In the late Middle Ages, it was not unusual to resort to this so-called law of reprisal. Brabant cloth merchants were arrested by French creditors in 1291 and again in 1314. In 1347 their Hainaut counterparts met the same fate. By 1400 the situation was not much better. In around 1395 a spy for Burgundy concluded that the Brabant merchants were suffering serious disadvantages as a result of the debts of their duchess. When the payments were delayed in 1420, John of Bavaria sent a request to the town councils of Ghent and Bruges not to arrest any subjects of Holland.⁶⁹ It was thus in the interest of the merchants, who were often among the urban magistrates, that the prince's debts should be settled promptly.

The debts became even more decidedly a public responsibility when the towns themselves issued *renten* so that the prince could benefit from the proceeds. The oldest traces of the issuing of these heritable and life annuities originate from the Champagne district in the first decades of the thirteenth century, and related to annuities issued by individual towns. From the early fifteenth century, the representative institutions, generally only the third orders of the principalities, also avidly entered this market, in some instances together with the nobles. In 1405 the Holland and Zeeland towns of Dordrecht, Haarlem, Delft, Leiden, Amsterdam, Middelburg, and Zierikzee sold *renten* in Bruges to fill the financial gap caused by the Frisian wars. Fifteen years later the Brabant towns and nobles followed suit to finance their resistance against Duke John IV, and five years later they again sold new annuities to finance the battles against Humphrey of Gloucester and Jacqueline of Bavaria. This would lead in the fifteenth century to the *gemenelantsrenten* (*renten* issued by the Common Land), that were financed on the basis of the provincial aids.⁷⁰

These developments brought about a change in the thinking on the nature of the princely domains. Whereas in earlier times a domain was regarded above all as the personal property of the dynasty, the heritage that was passed on from generation to generation, eminent philosophers now pointed out that the prince only managed the domains, the tax system, and the crown, and did not actually own them. He was a kind of guardian, who should pass on his inheritance—his working capital—at its original worth to his successor. He was accountable for this to the *universitas*, the political community of his principality. Kantorowicz remarked: 'There can be no doubt that in the later Middle Ages the idea was current that in the Crown the whole body politic was present—from the king to the lords and commons, down to the least liege-man'.⁷¹ It was not only the great philosophers who held these

⁶⁹ Zuijderduijn, 'Laatmiddeleeuwse Crisis', 9; see the Walloon charter of 1314: Avonds, *Brabant...krisissen*, 44–77; Lousse, 'Deux chartes'; Arnould, *Dénombrements*, 52; Laurent, Quicke, 'Documents', 153–8. For the financial situation under Joanna after Wencelas' death, compare, Graffart, Uyttebrouck, 'Quelques documents', 68–9, *passim*; Bos-Rops, *Graven*, 171–2; Zuijderduijn, *Medieval capital markets*, 94–105, 116–17.

⁷⁰ Bos-Rops, *Graven*, 128–9; Brussels AR, MD 1483, f. 65r–66v; Thielemans, 'Emprunt'; Zuijderduijn, *Medieval capital markets*, 80–94; Blockmans, *Volksvertegenwoordiging*, 391–400; Tracy, *Financial revolution*.

⁷¹ Kantorowicz, *King's two bodies*, 363. A lot has been written on this subject. See, for example, Guenée, *Occident*, 163–4; Isenmann, 'Medieval and renaissance theories', 37–8; Ydema, *Hoofdstukken*, 72–4; Black, *Political thought*, 189–90; Leyte, *Domaine*, *passim*.

ideas; they were also endorsed by legal experts like Philip of Leiden, clerk to the counts of Holland.⁷² Whether this was a cause or consequence of a reinterpretation of the theory, the fact is that the taxes—in other words the public money—were often used to redeem the pledged domains, returning them to the authority of the prince. Although ownership continued to rest with the princes, these same domains unmistakably took on a more public character. At different points in time, but particularly in the fourteenth century, at the insistence of the towns of Brabant, investigations were conducted on the domains to trace any possible frauds. The same had happened in Flanders in 1379. Both in 1407 and 1420, the deplorable state of the ducal finances led to revolts against the duke by the States of Brabant. In 1407 they demanded that the chancellor sign an oath never again to dispose of parts of the domain. In the various Joyous Entries, this demand was made not only of the chancellors, but also of the secretaries and members of the council, who were required to swear their oath before the States of Brabant.⁷³

Even more important than the individual domains, the territory of the principality was an entity that must not be harmed or disposed of; it belonged to the community, and was moreover the basis of cooperation between the towns of the province. The commercial significance of control over trade routes was a further important consideration. Dissolution of the territory in any form whatsoever was unacceptable to the regional States as custodians of the public interest and the Crown. This is probably formulated most clearly in the Brabant Joyous Entry of 1356 in which Wenceslas and Joanna promised their subjects:

To leave the lands [of Brabant and Overmaas] whole and undivided, not to pledge, sell, dispose or encumber them in any way; and that we, the said Duke Wenceslas, will leave the said lands after the death of our dear wife undivided, and intact to the lawful heirs and descendants of Brabant, so that the land will pass from generation to generation for ever undivided and intact.⁷⁴

In that same year, 1356, the bartering between Wenceslas and Louis of Male whereby sizeable parts of the Brabant territory were promised to the Flemish count led to Brussels and Leuven taking steps towards a military confrontation in the disastrous Brabant war of succession.⁷⁵ This is one example of many; others included the States of Hainaut that demanded in 1362 that the personal union with Holland and Zeeland should not be disrupted, and Dordrecht insisted in

⁷² Leupen, *Philip of Leyden*, 219–24.

⁷³ Bolsée, *Grande enquête*, XII–XL; compare: Uyttebrouck, *Gouvernement* I, 535–8. Boone, *Gent*, 201–2; see also the New Regiment of 1422 (Brussels AR, CC 10, f. 159r) and the Joyous Entries of Philip of St Pol (Anselmo, *Placcaeten van Brabant* II, 146 art. 5) and Philip the Good (Godding, *Verordeningen* 41–50 art. 3); Stein, 'Vergeten crisis'; for the crisis of 1420–1; see Brussels AR, MD 29, *passim*, and for the context, see Stein, *Politiek*, 182–95.

⁷⁴ Van Bragt, *Blijde Inkomst*, 98 art. 7.

⁷⁵ Avonds, *Brabant...krisissen*, 187–202; Laurent, Quicke, 'Guerre'; Fantysová-Matějková, *Wenceslas*, 162–76; The list of complaints that the States of Brabant presented to Duke Anton in 1407 also included the issue of territorial integrity, publication: Stein, 'Vergeten crisis', 429–33; see also the discussion John IV had in 1420 with Leuven and a group of Brabant bannerets; Brussels AR, MD 1483, *passim*.

1425 that parts of South Holland, namely Heusden, Geertruidenberg, and Loevestein, should not be disposed of.⁷⁶

For understandable reasons, the practice whereby the prince recouped his deficits from his subjects by raising taxes or by devaluing the coinage was not desirable. The prince must be able to live from the income from his domains.⁷⁷ This notion also echoed with the modest Antwerp town clerk Jan van Boendale, when he wrote that raising taxes not only made the prince hated by his subjects, but more importantly it put his salvation at risk.⁷⁸ Raising taxes also meant a threat to social stability. Many skirmishes and revolts—up to the sixteenth-century revolt in the Netherlands and possibly the American war of liberation—were directly or indirectly related to attempts to raise taxes.

A policy of currency devaluation also had its consequences. In the eyes of the French philosopher Nicolas Oresme (1323–82), it meant taxation according to the ability to pay, but it was nonetheless still taxation.⁷⁹ Citizens, nobles, and clergy all benefited from a strong currency because in many cases they received part of their income from *renten*, that yielded a set amount of money over a longer period. Devaluation could mean an enormous decrease in the value of such revenues.⁸⁰ This was a particular problem for the nobles, whose income was often dependent in part on fixed-lease sums. Their income has been calculated to have decreased by 75–80 per cent in the course of the fourteenth and fifteenth centuries.⁸¹ The economic-political elites of the towns regarded a weak currency as a threat to trade. Due to the fall in the currencies of Brabant and Holland compared to the Flemish groat, their own products steadily decreased in value while Flemish products became more expensive. When in 1381 Duke Wenceslas abandoned his policy of devaluation under pressure from the towns, he explained the problem in these concise terms:

Because of the great damage suffered by our good towns, the land and the good people of Brabant suffer daily as a result of all kinds of foreign currencies, both gold and silver, that are circulating in our land of Brabant far above their value and consequently taking the gold and silver from our lands and reducing and damaging trade. And because even more damage and loss would be incurred if no measures were taken.⁸²

An unstable currency meant the loss of precious metal and above all, like every form of taxation, a threat to the balance of society; not only this, devaluation often led to social unrest.⁸³ The States therefore followed closely what was happening

⁷⁶ Van Mieris, *Groot charterboek* IV, 803; Smit, Prevenier, *Bronnen* I, 1, 201–11, nr. 289; compare the promises that Philip the Good made to the States of Holland in 1428: *ibid.* 721–3, no. 1209; Bos-Rops, *Graven*, 203; The Hague NA, Staten van Holland voor 1572, no. 39. The actual situation differed strongly from the claim: Hoppenbrouwers, *Middeleeuwse samenleving*, 3–11.

⁷⁷ Guenée, *Occident*, 163–4.

⁷⁸ Boendale, *Leken Spiegel* III, 13, vers. 61–8.

⁷⁹ At the same time he pointed out that devaluation of the currency meant impoverishment for the population that could only be applied in exceptional instances: Isenmann, 'Medieval and renaissance theories', 36–7; Guenée, *Occident*, 166–7.

⁸⁰ Van Houtte, Van Uytven, 'Financiën', 121.

⁸¹ De Win, 'Lesser nobility', 99.

⁸² Laurent, *Loi*, 130–40. Quotation: 131.

⁸³ Blockmans, *Volksvertegenwoordiging*, 489.

with the alloy of the coinage and it has even been said that controlling the currency was one of the main reasons for the surfacing of the representative institutions.⁸⁴

The effects of the princes' debt crises were not confined to financial consequences; they also had serious social effects. I indicated earlier that the positions of the bailiffs were in many cases encumbered with large debts or were in some cases pledged. The consequences—corruption and false judgements—were not difficult to predict. There is a lack of quantitative data, but there is evidence of numerous complaints about the general state of justice.⁸⁵ We can therefore conclude that the native dynasties in the late Middle Ages were no longer able to fulfil their primary public task: maintaining law, order, and prosperity. This is made very clear in a statement from 1395 describing the situation in Brabant:

The inhabitants of the large towns pronounce publicly that they are not interested how much money they pay, as long as they can run their businesses and law is maintained. But no matter how much money they pay, it does not help because the duchess' debts are increasing relentlessly. And they dare not go abroad for fear that they will be imprisoned and robbed.⁸⁶

In 1429 Philip the Good summed the problems up well when he drew up a new regulation for the legal and financial system in Hainaut, something that he was obliged to do because it was necessary to pacify the land:

In order to restore the said land, that has been at war for a long time and has therefore lost much in revenues and income, we wish to restore peace so that the people can work, trade, build and come and go securely, and so that there is no longer any passage or assembly of armed people.⁸⁷

The same observation is made in more literary terms by a certain Simon, an otherwise unknown regular canon from Floreffe, writing about the situation in Luxemburg under Elisabeth's rule: 'Everyone there was robbed, traders dared not travel, cultivators dared not work. Everywhere there was plundering; the lady was not obeyed, in spite of her being the duchess and a very noble princess.'⁸⁸ Indeed, Philip confirmed in 1442 that Elizabeth had reported to him that:

The large debts and the notorious wars in which she, and her said countries and subjects were and are so greatly and grievously mistreated with skirmishes, imprisonment, arson, bloodbaths and by many other means, by many people who opposed her and

⁸⁴ According to Guénée: (*Occident*, 253): '[Les] assemblées se tiennent surtout parce que se posent au prince comme aux sujets de graves questions d'argent. Il semble que ce soient les problèmes monétaires qui, les premiers, aient imposé le dialogue.'

⁸⁵ See, for example, Graffart, Uyttebroeck, 'Quelques documents'; Van Rompaey, *Grafelijk baljuws-ambt*, 359–99.

⁸⁶ Laurent, Quicke, 'Documents', 154.

⁸⁷ Devillers, *Cartulaire* V, 81.

⁸⁸ 'Chascun y estoit desrobé / Marchans n'i osoient converser, / Ne li laboureurs labourer; / Il n'y regnoit que pillerie / La dame n'y ert pas obeye, / Conbien que elle en fuist duchesse / Et moult noble princhesse.' Quoted from: Würth-Paquet, 'Table... Elisabeth de Görlitz', 170. Compare for the economic situation in Luxemburg: Yante, *Péage lorrain*, 48, 108; *Luxembourg mosellan*, 436–7.

her friends that she as a woman and widow was unable to remedy the situation or resist her enemies.⁸⁹

Comparable statements are known to have been made in Brabant, Holland-Zeeland, and Flanders.

Further research is called for, but there does appear to be a close relationship between financial dominance by particular groups, often the *nouveaux riches*, at the court, and the emerging party conflicts. The most striking example of this is of course Holland and Zeeland, where financier Willem van Duyvenvoorde and his friends played a key role in the mid-fourteenth century in the development of the Hook and Cod wars. But this is not an isolated example. Even the gesture by the Brabant nobles who rescued Philip of St Pol from bankruptcy in 1429 did not bring about greater harmony. Five senior noblemen had complete control over court life and the situation was so depressing that the duke twice fled his own court in Leuven. The town was forced to send a messenger after him, 'begging' him 'with sweet words' to return.⁹⁰ The princely courts and councils were also controlled elsewhere by factions and parties, without any evidence of this being directly related to the financial situation. In the mid-twenties, Hainaut society was torn in the conflict between John IV and Jacqueline of Bavaria.⁹¹ In Luxemburg there had already been fierce conflicts between the Armagnacs and the Bourguignons since the start of the fifteenth century, conflicts that were exacerbated between 1412 and 1414 during the campaigns led by Anton of Brabant and later by the ambitions of Philip the Good.⁹² In the sixties, the situation was similar in Guelders. The population was divided into supporters of the father and the son: Arnold and Adolph. The fierceness of their opposition was reflected in the miracle play *Mariken van Nieumegen*, that tells of how Mariken's aunt 'Had quarrelled with four or five other women over Duke Adolf'.⁹³

In summary we may conclude that the financial and political situation in the principalities in the Netherlands in around 1430 was far from positive. The princely finances had become a hopeless spiral of never-ending debt; the economy was damaged by the princes' lack of power, and lawlessness and chaos reigned in the streets. By dynastic coincidence the subjects, residents of Hainaut, Holland, Zeeland, Brabant, and Limburg, were at that point faced with having to decide who would be their next duke or count. Given the circumstances, the choice in favour of the dukes of Burgundy was almost inevitable, regardless of how weak the legal titles were. They were the only rulers who could extricate themselves from the disastrous downward spiral in which the provincial dynasties had become embroiled. Moreover, in around 1430, they ruled over the county of Flanders, the most important economy in Western Europe. Partly because of this, they were able to offer good administrative, financial, and commercial prospects.

⁸⁹ Würth-Paquet, 'Table... Elisabeth de Görlitz', 81.

⁹⁰ SAL 5048, f. 16r.

⁹¹ Flammang, 'Partis'.

⁹² Wymans, 'Rébellion', 18; Péporté, '1453 Conflict', 9–10; Petit, 'Gouvernés', 93–4.

⁹³ Ehm, 'Oppermachtige buurman'; *Mariken van Nieumegen*, 58.

4.4 THE BURGUNDIAN ALTERNATIVE

4.4.1 Burgundy

In 1461 a Venetian chronicler expressed his regret that the wealth of the Christian princes had become so depleted. He illustrated this by comparing the situation in 1423 with that of several decades previously. According to his information, in 1400 Philip the Bold had 3 million crowns at his disposal, making him, together with the King of Spain (Castille?), the richest prince in Christendom. By 1423 their incomes had reduced sharply, but the Duke of Burgundy was still in the same league as the Kings of Spain, France, and England (Table 4.5). Admittedly, Maurice Arnould determined that the actual numbers are purely fictional, but this does not detract from the fact that in the mid-fifteenth century, the Burgundian dynasty was considered one of the richest in Christendom.⁹⁴

The representative institutions opted for Burgundian succession when the throne of their principality became vacant. There were many reasons for their choice, but the basis was without doubt the fact that this was much richer than the old princely dynasties. In 1445 an estimate was made of the domain incomes from the principalities under Burgundian rule. These show a clear difference between, on the one hand, Flanders, Artois, and the southern provinces, that had traditionally been under Burgundian rule, and on the other hand, the recently acquired principalities of Namur, Hainaut-Holland-Zeeland, and Brabant-Limburg. In that year more than half the Burgundian treasury was funded by domains from the provinces that had already been part of the Burgundian union during the reign of Philip the Bold. The new acquisitions from the 1420–35 period contributed only around 25 per cent—the remaining 16 per cent came from the Somme towns and the county of Boulogne (Table 4.6).⁹⁵

The data for 1445 cannot easily be extrapolated to the situation at the start of the fifteenth century. The meagre figures available do, however, indicate that at the

Table 4.5. Estimated wealth of the Christian sovereigns in the first quarter of the fifteenth century, expressed in ducats⁹⁶

Prince	Reference (year)	1423
King of France	2,000,000 (1414)	1,000,000
King of England	2,000,000 (1414)	700,000
King of Spain	3,000,000 (1410)	800,000
King of Portugal	200,000 (1410)	140,000
King (sic) of Brittany	200,000 (1414)	140,000
Duke of Burgundy	3,000,000 (1400)	900,000
Duke of Savoy		150,000

⁹⁴ Arnould, 'Estimation', 158–62.

⁹⁵ Arnould, 'Estimation', *passim*.

⁹⁶ *Bilanci* I, 1, 98–9.

Table 4.6. Domain incomes of the Burgundian lands, 1445

Province	Amount (pounds)		Percentage
	Burgundian inheritance		
Burgundy	57,600	94,633	55.4
Franche-Comté			
Flanders	32,277		
Artois	4,756		
	Namur inheritance		
Namur	4,834	4,834	2.8
	Brabant inheritance		
Brabant	18,240	18,240	10.7
	Bavarian inheritance		
Hainaut	12,098	25,856	15.1
Holland	13,758		
Zeeland			
	Later acquisitions		
Boulogne	5,007	27,321	16.0
Somme towns	22,314		
Total	170,884	170,884	100

turn of the century the dukes of Burgundy were much richer than their immediate neighbours. In 1394–6, Philip the Bold's income amounted to 250,000 pounds, half of which came from Flanders.⁹⁷ This sum can be compared with the annual amount of 29,000 pounds that Albert of Bavaria had at his disposal in 1372–3, or the annual 24,000 pounds that Joanna of Brabant had available between 1386 and 1390.⁹⁸

The so-called *dons du roi* provided the Burgundian dukes with a substantial additional source of income (Table 4.7). For the last decades of the fourteenth century, Philip the Bold and his sons acquired a series of subsidies, *pensions*, from the French crown. These were intended to allow them to lead an honourable life, and for example to guard Sluis, the access to Bruges. In 1401 these incomes amounted to 84,500 pounds. One year later they were replaced by a single *pension* of 100,000 pounds a year.

Apart from these regular gifts, there was an endless series of incidental donations, the nature and amount of which depended on the political situation—in this case by no means unimportant, because the power of the Burgundian dukes at the French court was for a long time, sometimes successfully, contested by the faction of the Armagnacs, grouped around the duke of Orleans. Over a period of

⁹⁷ This amount is probably not completely typical as the incomes were subject to fluctuation. Estimates by Andrée van Nieuwenhuysen indicate that the revenues from the domains averaged some 300,000 pounds a year: *Finances... Économie*, 501–2.

⁹⁸ Kort, *Archief* I, 133–7; Uyttebrouck, 'Notes', 241; for the highly variable revenues from Hainaut, see Sivéry, 'Entrée', 336.

Table 4.7. Regular gifts from the French king

Year of acquisition	Description	Pounds
1381	To maintain Philip's state	1,500
1395	Subsidy for Philip the Bold	36,000
1394	Part of the aid from Artois, Nevers et al.	17,000
1396	Subsidy for John (later: the Fearless)	12,000
1397	To guard Sluis	12,000
1401	Subsidy for Anton (later: of Brabant)	6,000
Total		84,500

thirty-eight years, these incidental gifts amounted on average to 54,000 pounds, at times rising to 200,000 pounds (Figure 4.2). Although these *dons du roi* only represented a third of the ducal revenues, they were several times the annual income of, for example, the count of Holland-Zeeland or the duke of Brabant.⁹⁹ The payments ceased abruptly in 1419, after the death of John the Fearless, but in the meantime, the dukes had reduced the French treasury by two million pounds.¹⁰⁰

There was also a more structural background to the wealth of Burgundy. The dukes implemented a systematic financial policy and exercised strict accounting controls. The developments in Flanders and Artois show clearly how important this was. We saw previously that in 1384, the ducal domains of both provinces

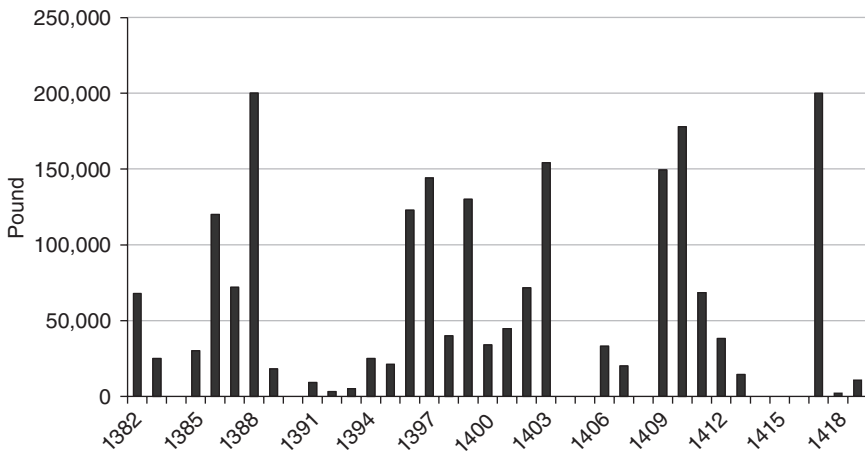


Figure 4.2. Incidental donations from the French crown to Philip the Bold and John the Fearless, 1382–1419, in pounds

⁹⁹ Van Nieuwenhuysen, *Finances... Economie*, 373–83; *Finances... Montant*, 194–5, appendix IV. Anton of Brabant also received in 1411 60,000 gold écus from the French King: Lille ADN, B 1420. With thanks to Mario Damen, who drew my attention to this source.

¹⁰⁰ Pocquet du Haut-Jussé, 'Dons'.

were in a dismal state as a result of years of insurgencies. During his reign, Philip the Bold created order out of the chaos, with impressive results: on his death, the finances of both counties were very healthy. Estimates indicate that under his rule, the Flemish remittances to the receiver-general of all finances quadrupled, not only through the recovery of the old domains, but equally through new sources of finances—the issuing of new fiefs, the expansion of the system of tolls, and above all, the taxes that were raised with increasing frequency.¹⁰¹ Deficits were not financed by disposing of the domains, but were passed on to the subjects by imposing taxes.¹⁰² An example of this is the aid that was awarded in 1410 by the Flemish Members. Two thirds of the amount of 144,000 pounds awarded was used to repay loans and to reverse the remaining pledges.¹⁰³ The dukes of Burgundy succeeded in one particular area where all other princely houses failed, namely in the introduction of a strict control of the accounts by professional audit offices. Not even the smallest strip of domain property could be disposed of without the advantages and disadvantages being carefully weighed. I will discuss this further in Chapter 7.

The wealth of the Burgundian dynasty strengthened its position in the succession to the principalities of the Netherlands. We have already seen how the dukes were in a position to spend large sums on reinforcing their entitlement to the succession, for example, by purchasing Luxemburg and Guelders. On a somewhat smaller scale they acquired parts of the ‘national’ territory, exploiting the financial vulnerability of the princes. This played an important role in the inheritance of Brabant. In the 1380s Philip the Bold systematically bought almost all the Lands of Overmaas, as well as the duchy of Limburg—an area that had a great symbolic value for the people of Brabant because it had been acquired after the epic Battle of Worringen.¹⁰⁴ Reunification of both duchies was of major significance for the States of Brabant, and eventually this question was raised in the negotiations about the Burgundian succession in Brabant. As a result, the duke transferred Limburg and Overmaas to his son Anton, who was later to succeed to Brabant. A similar situation occurred in Holland. In 1404 John of Bavaria received Woerden and Gooiland as appanage from his brother Count William VI. He later managed to add to this Voorne, Woerden, Rotterdam, the Land of Arkel, Dordrecht, and South Holland, in short, almost the whole southern part of the county of Holland (Map 4.1). On 6 April 1424 he appointed Philip the Good as the heir to these properties. This was not an altruistic act of generosity; in exchange, John received military support against Jacqueline of Bavaria and Humphrey of Gloucester. Moreover, at the same time a settlement was reached in Bruges for the debts that were overwhelming John. With the Treaty of Delft, when Philip could be reasonably certain of his succession in Holland, and under pressure from the towns and

¹⁰¹ Van Nieuwenhuysen, *Finances... Montant*, 154; compare: Soens, ‘Evolution’.

¹⁰² Bos-Rops, *Graven*, 208.

¹⁰³ Zoete, *Beden*, appendix V; compare for the general picture, Van Nieuwenhuysen, *Finances... Economie*, 464–70, 506.

¹⁰⁴ Uyttebrouck, *Gouvernement*, 66–93.



Map 4.1. Allodial possessions of John of Bavaria, in 1424 bequeathed to Philip the Good

© Bert Stamkot, Cartografisch bureau MAP, Amsterdam

nobles of Holland, the majority of these territories were added to the other parts of the princely domain.¹⁰⁵

The enormous wealth meant that the dukes were able to permit themselves a court life that was unequalled in Western Europe. The glitter and glamour, the high court style—and last but not least the prospect of the lucrative allowances that the dukes distributed among their courtiers—appealed greatly to the noble character of many provincial noblemen. This also made the Burgundian succession attractive to the influential second order, the nobles. However the hopes this engendered among the nobility from the Dutch-speaking Netherlands must have led to deep disappointment. The court was and remained almost completely French and French speaking.¹⁰⁶ The wannabes were largely disappointed in their hopes as well. While the Burgundians in France raised many people to the nobility, this happened only rarely in the Netherlands.¹⁰⁷

The dynasty's strong capital position allowed it to create pro-Burgundian parties in the neighbouring principalities by issuing so-called interest *pensions fieffées*, or fief rents, a kind of feudal contract that obliged the holder to provide support to the issuer. During the reign of Philip the Bold, fief rents were issued in Flanders, Holland, Hainaut, Luxemburg, and particularly in Brabant. In 1384–5, immediately after assuming power in Flanders, Philip the Bold issued fief rents to some twenty-five Brabant noblemen, and not the least important ones, mainly bannerets and members of the ducal council of Duchess Joanna. He expected—rightly as would become apparent in 1404–6 and in 1430—support for his questionable claims to the throne of Brabant.¹⁰⁸ Later this system would also be used by Charles the Bold, in Guelders.¹⁰⁹

The Burgundian expansion of power was not only about money; it was also about politics. Where possible, the Burgundian dynasty exploited any prevailing disputes. In almost all provinces there were parties and factions that were made up of both nobles and towns. In Holland and Zeeland, John of Bavaria's power was based on the Cod party, and after his death in 1425, Philip the Good became 'party leader' in his place. This was a remarkable development because in 1418 he still supported the Hooks. In this same period, the decisive Philip the Good had no difficulty in taking over the place of his weak Brabant nephew as head of the Hainaut anti-Jacqueline party. In Brabant, the dynasty was able to build up a good measure of goodwill by supporting the States of Brabant during the reign of John IV in their conflict against a clique surrounding the duke.¹¹⁰ The actions of a Burgundian diplomat in 1417, when the tension between the States of Brabant

¹⁰⁵ Bos-Rops, *Graven*, 189–90; Prevenier, Smit, *Bronnen* I, 2, 710–13, nr. 1197; Devillers, *Cartulaire* IV, 373–4; Brussels AR, Charters van Vlaanderen, 2^e afdeling, doos 21. Bos-Rops et al., *Holland bestuurd*, 235–6; Janse, *Verkochte vrijheid*, 100–16; *Pion*, 210–11.

¹⁰⁶ Paravicini, 'Expansion'. I will address this in further detail in Chapter 5.

¹⁰⁷ Van Uytven, 'Brabantse adel', 79; Janse, *Ridderschap*, 513–60; Buylaert, *Eeuwen*, 22–8.

¹⁰⁸ Stein, *Politiek*, 176–8, 187–9, 196–7; Pocquet de Haute-Jussé, 'Pensions'; Armstrong, 'Burgundian government', 223–8.

¹⁰⁹ Armstrong, 'Burgundian government', 227–8.

¹¹⁰ Van Steensel, *Edelen*, 291–9; Flammang, 'Partis'; Stein, *Politiek*, 172–95.

and Duke John IV reached a peak, are revealing. He travelled to Brussels: 'In order to inform the said Lord of Brabant, in the presence of the three orders of the land, that he had for some time exercised poor government, so that he could improve this and would listen to other and better advice'.¹¹¹ Not only were the dukes of Burgundy wealthy, they were also powerful, which was another argument for the representative institutions to choose the Burgundian option. In the treaty under which she transferred Hainaut, Holland, and Zeeland in 1433, Jacqueline of Bavaria indicated that she was no longer able to manage the situation in these counties,

As it is very necessary for the prosperity, benefit and advantage of the said lands to free them from their burdens, to purify them and to create legal security, order, peace and tranquillity, they should be transferred to a powerful, authoritative prince and lord; we know of no one who is more suitable and better than our dear and much-loved brother the duke of Burgundy.¹¹²

Jacqueline was not alone in her opinion. Everywhere, the house of Burgundy was respected for its power and authority. Philip the Bold was also convinced. In a speech before the States of Brabant in 1398 he remarked that—even if only for this reason—they should accept him as the new prince after the death of Joanna.¹¹³ We find a somewhat arbitrary confirmation of this in 1422 in the peace negotiations between the towns and nobles of Brabant and of Holland-Zeeland. The negotiations were difficult, but eventually a delicate balance was struck. In order to achieve a stable, lasting peace, the negotiators wanted this peace to be sanctioned by a powerful prince, such as Philip the Good.¹¹⁴ We have already seen that the principalities in the fourteenth and early fifteenth century were embroiled in a never-ending series of minor and not so minor wars, and how they were plagued by internal conflicts. This came to an end when Philip the Bold acceded in Flanders, and his grandson assumed power in Brabant, Hainaut, Holland, and Zeeland. In 1385 Philip the Bold managed to defuse the potentially explosive situation in Flanders. He subsequently succeeded in reaching a peace agreement with the rebellious Ghent that was honourable and acceptable for all parties. Once the Ghent war had ended, Flanders enjoyed half a century of relative calm.¹¹⁵ This must have made an impression, including on the noble and urban elites of Brabant, Hainaut, and Holland, when the Burgundian succession was at issue. There were without doubt still revolts in Luxemburg and particularly in Flanders, and several riots had got out of hand in Holland, but in the end the accession to power by Burgundy also meant peace. In his *Memoires*, Philippe de Commynes made the famous comment that the Burgundian lands at the time of Philip the Good could be regarded as 'Terres de promission', lands of promise. His argument is much less well known, 'à cause de la longue paix qu'ils avoient eue', because of the long peace

¹¹¹ Lille ADN, B 1923, f. 45r–45v.

¹¹² Bos-Rops et al., *Holland bestuurd*, 277–83, nr. 71.

¹¹³ Stengers, 'Philippe le Hardi', 400 and no. 3; Froissart, *Chroniques* XIII, 842–5.

¹¹⁴ The Hague NA, Graven van Holland 578. With thanks to Ms E. van der Pool, who brought this source to my attention.

¹¹⁵ Lambrecht, 'Centralisatie', 84; Vaughan, *Philip the Bold*, 37; Boone, *Gent*, 201–20.

they had experienced.¹¹⁶ It was only after the death of Mary of Burgundy (1482) that internal peace would again be disturbed on a large scale.

The legal system that had been so affected by the debt crisis in the principalities also seemed to be in good hands with the dukes of Burgundy. In the middle of the fourteenth century, Philip of Leiden, clerk of the count of Holland, regarded Flanders and France 'and other well-ordered lands' as an example for how justice should be structured in his own land.¹¹⁷ Philip the Bold convinced the town of Brussels that, if he came to power, he would be a severe judge.¹¹⁸ It is not without reason that the continuation of the *Brabantsche Yeeften* expressly reports the renewal of the law under Duke Anton:

Very soon after Duke Anton was inaugurated as lord and ruler, everywhere possible he took legal action against all the corrupt people who had harmed the poor during the rule of his aunt. He brought to law those who had coerced the poor, cut off their feet, and subjected them to violence: an eye for an eye, a tooth for a tooth. He acted completely lawfully in the territory of Brabant, with the result that fewer people were seen walking with crutches than previously.¹¹⁹

In Chapter 6 we will see how far these expectations were met by the dukes of Burgundy.

4.4.2 Flanders

Nonetheless, in the 1430s, the provincial representative institutions did not opt only for Philip the Good or even for the dynasty of Burgundy. An important factor was that Philip the Good was count of Flanders. The wealth and commercial opportunities of that province were very attractive to the merchants of the surrounding principalities. There is a lack of structural research on the trade relations between the provinces in the Netherlands, but it is clear that from the twelfth century there were intensive contacts between the later core provinces of the Burgundian union.¹²⁰ Under pressure from the towns, a treaty was concluded on 31 March 1337, between the Brabant Duke John III and the Flemish Count Louis I of Nevers, in which detailed arrangements were made to allow trade to be conducted smoothly. A day later, William III of Hainaut, Holland, and Zeeland also signed the treaty, together with his towns.¹²¹ This trade treaty probably never

¹¹⁶ Commynes, *Mémoires*, 55.

¹¹⁷ Philippus van Leyden, *De cura*, 253, casus LX, 31; Timmer, *Profeet*, 78–9.

¹¹⁸ Graffard, Uyttebrouck, 'Quelques documents', 104.

¹¹⁹ Als hertoghe Anthonijs was ontfæn / Here ende prince, cort daerna saen / Dede hi gheschien hier ende daer / Groote justicie ende swaer / Over alle roekeloose gasten, / Die de arme liede verlasten / Bi sijne vrouwen moyen tide: / Daer mense creech, in elke side, / Die darm volc plaghen te transeneren. / Voete af te slane, te foortseren, / Die dede hi rechten onghelot, / Voet voor voet, let voor let, / Ende hilt justicie int Brabantsche perc. / Al over al, alsoe sterc, / Dat men in Brabant niet meer en sach / Soe vele steltghenghers alst plach. *BYVII*, 183–214.

¹²⁰ Blockmans, *Metropolen*, 84–90 and *passim*.

¹²¹ Publication: Van den Bergh, *Gedenkstukken I*, 134–58; compare Brokken, *Ontstaan*, 137–8; Prevenier, Smit, *Bronnen*, 31–3, no. 60.

actually came into force, but two years later, Brabant and Flanders again concluded a commercial treaty. In the introduction to this, the importance of trade for prosperity was emphasized in almost poetic terms:

Because we see that the good people of Flanders and Brabant are closely related, intermarry and live among one another, that they are immediate neighbours for whom it is beneficial and useful to be joined in good affection, in friendship and in harmony, and to be joined together, loyal and in complete conviction, and because the said lands have many inhabitants, who cannot be maintained without wholesale and retail trade, noting also, that this trade can only flourish in lands where there is peace, tranquillity and freedom.¹²²

The situation had not changed by the end of the fourteenth century. In 1398 Philip the Bold tried to win the Brabant people over to his side, partly by pointing out the importance of commercial contacts between Flanders and Brabant; these were of much greater importance than the contacts with the Empire, where his great rival King of the Romans Wenceslas resided.¹²³ Thirty-five years later Jacqueline of Bavaria would emphasize that there was great trade (*grooter coopmanscap*) between her provinces and those of Philip the Good.¹²⁴

The core of the commercial system of the Low Countries was undoubtedly the Flemish market. The importance of Flanders—and to a lesser extent Artois—was above all demographic: it is estimated that more than 700,000 people lived in the first of these provinces.¹²⁵ Around 1300, Ghent, Bruges, Saint-Omer, Arras, Lille, and Douai had more than 30,000 inhabitants, with Ghent and Bruges being the exceptions, with 65,000 and 45,000–50,000 inhabitants respectively. This was, it is true, followed in the fourteenth century by a period of decline, but even in the fifteenth century, the Flemish cities towered far above those in Brabant, Holland, and Zeeland in terms of their population. In around 1500 the largest Brabant town, Brussels, had 33,000 inhabitants compared to Leuven's 17,000. Leiden and Amsterdam had only 12,000–13,000 inhabitants.¹²⁶ Obviously the densely populated Flanders represented an interesting market for the merchants. The grain trade of Hainaut and in particular the region around Valenciennes—including the nobles and the town merchants—benefited strongly from the Flemish demand. The same applied to the beer trade of Holland.¹²⁷ It was even more interesting that Bruges occupied a key position within the Western European trading system. This is where merchants from Italy, the Iberian Peninsula, and the Baltic Sea area came together.¹²⁸

It is not surprising that the towns of Holland and Zeeland tried to benefit commercially from the political ambitions of Philip the Good in their provinces. Four of them demanded—and received—better access to the Flemish market, before

¹²² Antwerp Felixarchief, Charter C 91. *Den Luyster* I, 108–16 contains an almost unusable edition. See Avonds, *Brabant... Land*, 224–7; 'Beschouwingen'.

¹²³ Froissart, *Oeuvres* XIII, 342–5.

¹²⁴ Bos-Rops et al., *Holland bestuurd*, 277–83, no. 71.

¹²⁵ Blockmans, Prevenier, *Bourgondiërs*, 174.

¹²⁶ Blockmans, 'Impact', 257–9.

¹²⁷ Flammang, 'Partis', 557–8.

¹²⁸ Van Houtte, Van Uytven, 'Nijverheid', 89–90; Murray, 'Nodes', 1–14.

they were prepared to recognize the Duke of Burgundy.¹²⁹ Philip the Good was forced to improve the trading facilities of these towns in Sluis, the outport of Bruges, 'le principal port et le clef de nostre pays de Flandres'.¹³⁰ Their choice in favour of the dukes of Burgundy gave the towns of Holland and Zeeland new opportunities for commercial expansion.¹³¹ The Brabant agreements also included a number of commercial aspects.¹³² The economic advantages of a union with the Burgundian lands is confirmed from an unexpected quarter. In 1469 Charles the Bold tried to convince the people of Friesland to recognize him by promising them greater prosperity, just as his father had done,

in the lands of Holland, Zeeland and West Friesland, that had become much wealthier than when they were in the hands of his father, which happened thanks to the grace of God and thanks to the good and praiseworthy administration by the said lord, his father, who kept them in peace, unity and good trading relations.¹³³

A remarkable consequence of the choice in favour of the Flemish market was that the towns of Holland, Zeeland, and Brabant were no longer such active members of the Hanseatic League—the commercial contacts with the Baltic continued, of course, as witnessed by the retention of a flourishing Hanse-Kontor in Bruges.¹³⁴

A final argument for the urban and possibly also the noble elites to opt for the dukes of Burgundy is monetary in nature. Supra-provincial monetary collaborations have a long history in the Netherlands that goes back to the last years of the thirteenth century. The more urbanized provinces continued to try to connect their currencies with one another. A first currency union was agreed on 31 October 1299, between the Flemish Count Robert of Bethune and the Brabant Duke John II.¹³⁵ His successor John III tried again in 1323 to form a currency union with William III of Hainaut, Holland, and Zeeland. The previously mentioned treaty of 1339 also contained a clause uniting the currencies of Brabant and Flanders: in order to promote trade a common currency would be minted. In 1404 Brabant was again involved in creating a currency union, now on a scale that would include all the core provinces of the Netherlands; however, the discussions between Brabant, Flanders, and Holland and Zeeland came to nothing.¹³⁶ In 1420 John IV of Brabant—at that time formally Count of Hainaut, Holland, and Zeeland—tried to introduce a *Drielanders*, a coin issued in the three principalities of Brabant,

¹²⁹ These were Gorinchem, Dordrecht, Zierikzee, and Brielle. See Van Mieris, *Groot charterboek* IV, resp. 798–9, 802, 828–9, and 837.

¹³⁰ Dumolyn, *Brugse opstand*, 240, n. 701.

¹³¹ Stabel, *Dwarfs*, 6, 13, 29–30; Sosson, 'Petites villes', 183.

¹³² See the agreements made in 1428: Verkooren, *Inventaire... Luxembourg* IV, 204–5, no. 1615; compare the Joyous Entry of 1430: Godding, *Verordeningen*, 41–50, no. 1 article 15–18, 20, 22–4.

¹³³ Thoe Schwarzenberg, *Placaat- en charterboek* I, 626–7; Jongkees, 'Bourgondie', 74.

¹³⁴ Weststrate, *Kielzog*, 35–41.

¹³⁵ Van Werveke, 'Munt', 10–11.

¹³⁶ Bos-Rops, *Graven*, 87, 91–2; Prevenier (*Handelingen*, 338, no. 712) mentioned an assembly of the Flemish Members at Bruges on 2 and 3 October 1404 in order to discuss 'the request made by the mercantile towns of Holland and Zeeland to those of Flanders and Brabant to safeguard trade in the three lands, and on the matter of a new currency that could be introduced in these lands'.

Hainaut, and Zeeland.¹³⁷ Apparently the treaties were made by the princes, but in practice, these generally legitimized the outcomes of the discussions between the towns.¹³⁸ This was clear in 1339, for example, when it was decided that the quality of the coinage would be checked by a committee consisting of representatives of the duke of Brabant and the count of Flanders and the towns of Leuven, Brussels, Antwerp, Ghent, Bruges, and Ypres.¹³⁹ Eventually it became obvious that a stable monetary union was impossible, particularly because the financial and political differences of the dynasties were too far divided.

In the second half of the fourteenth century and the first decades of the fifteenth century, the Flemish groat was the most important and the most stable currency in the Netherlands.¹⁴⁰ This stability was a major attraction for the towns of Holland. Before they were prepared to inaugurate him, Philip the Good had to promise the people of Dordrecht in 1425, Leiden in 1427, and all the towns of Holland and Zeeland in 1428, that he would create a currency union with Flanders.¹⁴¹ An identical demand was made that same year by the towns and nobles of Brabant, when they accepted Philip the Good in 1428 conditionally as successor to Philip of St Pol.¹⁴²

From the monetary viewpoint it is logical that the representative institutions opted for Burgundy when the throne of their principality became vacant. In this way a single dynasty managed the most important provincial currency. After the definitive acquisition of Hainaut, Holland, Zeeland, and Brabant, work immediately started on monetary reform, and in 1431, the towns of Brabant and Holland came together to discuss the currency.¹⁴³ These discussions led in 1434 to a common Burgundian coin, the so-called *Vierlander*. The name refers to the four main economic, ideological, and political entities: Brabant, Flanders, Hainaut, and Holland, although the coin was also used in the provinces of Limburg, Namur, Artois, Mechelen, and Zeeland. Later, after the acquisition of Luxemburg in 1443 and Guelders in 1473, the currency was also introduced there. In practice this represented a supra-provincial 'national Netherlands' coin.¹⁴⁴ Naturally, this currency was minted in the name of Philip the Good, but it should nonetheless not be

¹³⁷ Chalon, *Recherches*, 102–10; Baerten, 'Onderzoek'. A later initiative dates from 1425–6, when the Holland *klinkaart* was introduced, first in Holland and Namur and later in Flanders. The alloy of this coin was however too low, so it barely caught on; Cauchies, *Législation*, 265–7.

¹³⁸ The Brabant–Flemish union of 3 December 1339 has been characterized as 'a monument of urban self-awareness': Avonds, *Brabant... Land*, 224–7.

¹³⁹ Baerten, 'Onderzoek', 62–4; Ghyssens, 'Monnaie', 570; Uyttebrouck, *Gouvernement*, 541–2; Avonds, *Brabant... Land*, 224–5. A comparable interference of the Brabant towns in international politics was formed by the treaty with Liège and Huy of 1347 (*ibid.*, 227).

¹⁴⁰ Based on: Munro, 'Deflation', 393–5.

¹⁴¹ Van Mieris, *Groot charterboek* IV, 801–2; Bos-Rops, *Graven*, 203; Prevenier-Smit, *Bronnen* I, 1, 721–3, no. 1209; compare: Bos-Rops, *Graven*, 203; Smit e.a., *Bronnen Zeeland*, 431–4, nr. 430.

¹⁴² Verkooren, *Inventaire... Luxembourg* IV, 204–5, no. 1615.

¹⁴³ Prevenier, Smit, *Bronnen* I, 1, 782, no. 1319; compare Bos-Rops, *Graven*, 203 and n. 139; Munro, 'Economic aspect', 232.

¹⁴⁴ Spufford, *Monetary problems*, 5–6; 'Debasement', 71; Devillers, *Cartulaire* V, 212–15; Baerten, 'Onderzoek', 60–2.

regarded as a dynastic achievement; rather the *Vierlander* represented the fulfilling of a long-cherished wish of the provincial States, the nobles, and the urban elites.

4.5 CONCLUSION

The Burgundian dynasty played a key role in the unification of the Netherlands. How could it be otherwise? The provincial dynasties died out and the representative institutions sought an alternative. They chose the house of Burgundy, against all manner of other pretenders. For the representative institutions of Brabant, Hainaut, Holland and Zeeland, Namur, and even Luxembourg, this choice was almost inevitable. The dukes of Burgundy, their pawns, their ideology as it were, had infiltrated society.

The decision of the representative institutions was to a large extent determined by the circumstances in the principalities. The native dynasties and their courts were on the edge of bankruptcy or had already toppled over the edge and were in freefall. In itself, the bankruptcy of the courts would probably not be so important but the fact that the administrative, financial, and legal strands of society came together there made this a major problem for society, with enormous economic consequences. The decline of the princely courts meant the decline of what today would be referred to as the constitutional state. This forced them to look for new ways, in the Burgundian dynasty, that was known for its wealth and its well-organized administration, and that moreover ruled over the most important economy in Western Europe.

This reconstruction puts into perspective the traditional image that the Burgundian union came into being as a result of the tireless efforts of the dukes. Of course, Philip the Bold, John the Fearless, Philip the Good, and above all Charles the Bold were ambitious; of course they took important initiatives that were necessary for unification. But they were by no means the only parties involved. The takeover of power was desired equally by the important political elites. For the classes of merchants and owners in the towns, and for a large number of powerful nobles, the Burgundian dukes represented a guarantee of the economic and societal stability that they so desired. In the coming chapters, we will see how the financial and administrative gaps left behind by the original dynasties were filled.

5

Towards a New Structure of Government

5.1 INTRODUCTION

The death of Joanna of Brabant in 1406 had a major impact on the Brabant court chaplain and chronicler Wein van Cotthem. In one of his rare interventions in the content of the *Brabantsche Yeesten* he writes about the effect of her death on her courtiers:

All those around her who served her over a long period were very low in spirits because they were in a poor state. They had suffered a reversal of fortune. Rutte, Geerke, Koen and Hans cried: Alas! Woe! This was because other people were enjoying the benefits now. These were wretched times for the poor old courtiers. Those who had prepared themselves were better able to manage. In the time of duchess Joanna I saw a person riding high on a horse who shortly after her death sat with his livery in the mud and walked the streets like a poor wretch, snivelling.¹

If a new era began for the Brabant courtiers following the death of Joanna, the same was even more true when her third successor, Philip of St Pol died twenty-four years later. A similar rupture took place not only in Brabant but also in many other provinces. The unification under Burgundy meant the end of six princely courts: Franche-Comté-Flanders, Namur, Hainaut-Holland-Zeeland, Brabant, Luxembourg, and Guelders—and the continuation of a single Burgundian court.

The disappearance of the princely courts created a new political, legal, feudal, and social reality. The courts were traditionally a meeting place for the nobility, a place where noblemen could combine business with pleasure, mingle with the prince and colleagues, meet their friends and enemies, and promote their interests in the prince's council.² The strands of provincial feudalism came together at court, where prince and council were responsible for enfeoffment and the handling of feudal legal cases. In the late Middle Ages, the court was not just a meeting place

¹ 'Want alle die omtrent haer waren, / Ende over menegen termijn / Haer dienstliede hadden ghesijn, / Waren van herten seere bedruct; / Want hen nu seere was mesluct; / Averecht was ghekeert haer cansse; / Beide Rutten, Gheerken, Coensch ende Hansse / Die riepen leyder! wach! owi! / Want ander quamen in den bri. / Die hen voersien hadden voertiden, / Die mochtens nu te bat gheliden; / Want het sijn al te snode dingen / Oude arme hovelingen. / Ic sach bi vrou Johannen tiden / Den selken op hoeghe perde riden, / Die na haer doot, seere cort na dat, / Metten cledren in de modre sat, / Ende als een erm snodelinc / Al drupnesende achter straten ginc.' *BY* VI, 11757–74.

² Nijsten, *Hof*, 27.

for noblemen; thanks to the presence of the prince and the council, it also had an important public role as the centre of administration and justice. This is where authority, power, and responsibility came together.

The social function of the provincial courts was in part taken over by the Burgundian court, although there were limitations to this because for those wielding power at the time there was very little chance of a further career within the Burgundian household. This had important consequences, and not only for the careers of those concerned. What was more important was that with the disappearance of the courts, new solutions had to be found for all those activities that the provincial dynasties, their councils, and their courts had assumed throughout the centuries. There were many questions to be answered, such as how the new rulers should exercise government and justice, and how they should structure the control of the finances and the feudal organization. Some of these responsibilities fell to the Burgundian court, where the duke and his privy council assumed an almost sovereign position.

What is more interesting is what was happening at the provincial level, where there was a combination of continuity and radical innovation. One of the prime aspects of continuity was that the old principalities did not come under the direct control or authority of the duke and his privy council—as was the case with the Somme towns and Picardy—but were maintained as separate entities in a composite monarchy. They were provided with a provincial council (*Chambre de Conseil*, *Raadkamer*), that carried out some of the administrative and judicial activities of the former dynasties and their councils. Audit offices (*Chambres des Comptes*, *Rekenkamers*) were set up in Burgundy, Flanders, Brabant, and Holland-Zeeland. Their task was to control the accounts, which meant they took over some of the responsibilities of the former princely councils. At least as important is the fact that they were structured very differently from the former prince's councils. These latter were located at the court, close to the prince. They were based on the feudal principle of aid and counsel, *consilium et auxilium*. The new councils and audit offices were founded on a much more rational, administrative principle. They evolved into well-structured chambers with, at any rate in theory, a strictly defined staff, as for example in the Council of Flanders (Table 5.1).

In Chapter 2 we saw how the expansion of power was accompanied by a long series of dynastic crises, that the Burgundian hereditary claims were of a dubious nature, and that the dukes were dependent on these claims being recognized by the representative institutions. The structure of the provincial councils and audit offices is all the more interesting because they were formed in close collaboration with the provincial representative institutions. While the dukes of Burgundy were lord and master over their own court and ducal council, they had less influence on the structure of the provincial administration.

In this chapter I will focus on the administrative structure of the union, on how the Burgundian privy council—where power was newly crystallized—operated, and in particular, on how the former provincial administration was restructured. What happened with the former prince's councils and the provincial representative institutions? To what extent were the former principalities and those in power

Table 5.1. Composition of the Council of Flanders, 1409³

Department	Function	No.
Core council	President	1
	Council members	8
Ministry of Public Affairs	Procurator-general (<i>Procureur-general</i>)	1
	Fiscal attorney (<i>Avocat fiscal</i>)	1
Supporting services	Clerk of court (<i>griffier</i>)	1
	Receiver of the revenues	1
	Process server	1

integrated in the Burgundian administrative structures? For practical reasons I will make a distinction in the following chapters between administration, finances, and justice. This corresponds with our modern concepts but does not do justice to the way these functions were almost inextricably intertwined in the late Middle Ages.

5.2 THE NUCLEUS OF POWER

5.2.1 The Court

In the middle of the fifteenth century, the court of the dukes of Burgundy overshadowed those of all its predecessors. During the previous decades, the period when the dukes of Burgundy took possession of ever larger parts of the German Empire and France, the Burgundian court underwent an explosive development. Our knowledge about the courts of Philip the Bold and John the Fearless is limited to a few isolated sources that give a quite inconsistent image of its size. In 1371 Philip the Bold and Margaret of Male were in Rouvres, near to Dijon, where they were accompanied by a retinue of a hundred people. In 1385, when the court was stationed in Cambrai, it consisted of 248 people; a year later in Ypres, 353.⁴ We have more information about the courts of Philip the Good and Charles the Bold. An insight into the structure and an indication—but no more than that—of the size of their courts can be gleaned from the court ordinances, financial documents that determine who was permitted to be present at court, and what payment they would receive. The *Estat de la maison du duc Charles de Bourgogne*, drawn up in 1474 by diplomat and historian Olivier de la Marche (ca. 1424–1502) corresponded closely with the court ordinances. These court ordinances sketch an image of an organization that bordered on the military. The head of the court was the *Grand maître d'hôtel*, who supervised hundreds of subordinates, the cook in the

³ See the marginal notes in the second edition of De Wulf, *Ordonnantien van Vlaenderen* I, 245. This source does not mention a number of supporting services such as secretaries, messengers, and clerks, who do appear in later sources, such as edited by Vandenpeereboom, *Conseil*, LX–LXXXIX, nr. K.

⁴ Vaughan, *Philip the Bold*, 190.

kitchen, the *saussier*, the soup chef, the soup assistant, the cook's boy, the bellows boy, etc. Starting from the 1420s, the court ordinances show us a court that grew spectacularly in size, from around 250 permanent positions in the 1420s to 1,800 by 1484. Of course, in practice the rules were adhered to less strictly. The exact size of the court becomes clear from the so-called *Ecroes des gaiges*, literally scrolls listing salaries. These show that the actual size of the court was considerably smaller than the court ordinances lead us to believe. In the 1440s and 1450s, the court consisted of between 250 and 300 people, and by the 1470s, this had increased to 880. At important points in time there were undoubtedly more members of the court, such as when Charles the Bold was in Trier to discuss with the Emperor the foundation of a Burgundian kingdom and was accompanied by a retinue of a thousand people (Figure 5.1).⁵

It was important for the duke to have an extensive household, not only for organizing his daily life, his security, government, and administration; it also served to impress his subjects and his rivals. Moreover, appointing subjects to the court was a good way of allying the established elites to the duke or creating new elites. This last was undoubtedly the background to the introduction in 1426 of a system of *service par terme*, that can be seen as a form of part-time service. Under this system, the court functions were held by several people—two, three, or four—each of whom spent six, four, or three months at court before returning home. The office of steward could be held by three people, each of whom was able to enjoy the honour and the income for a period of four months. At the end of the year, it was again the turn of the first incumbent.⁶

Those individuals who were members of the household also benefited from proximity to the duke, the seat of power, not only for the honour and influence, but also for financial reasons. Those present at court were entitled to financial compensation for their costs, ranging from 36 shillings for the important chamberlains to 3 shillings for the lowly kitchen boys who peeled the vegetables. This system of financial compensation was newly introduced by the Burgundian court, and had not been common at the older princely courts. It was not only the duke who was generous to those around him. Courtiers, audit officers, secretaries, the barber, all received gifts from towns, institutions, and private individuals, to represent their interests with the duke himself, in the direct environment of the duke or in the direct environment of the direct environment.⁷

As the dynasties became extinct, the regional courts also disappeared. This did not mean that the courtiers en masse could look forward to a new future at the court of Burgundy. Only a few were able to acquire a position at the new court. The influx of regional courtiers to the Burgundian court was minimal, at least from Hainaut-Holland-Zeeland, from Namur, and from Luxemburg. In 1386 Philip the Bold did take thirty individuals from the household of his father-in-law Louis of Male, and two generations later, several courtiers also entered the household from

⁵ Paravicini, 'Ordonnances', 58–60; Vaughan, *Charles the Bold*, 139–40.

⁶ Paravicini, 'Court', 71–86.

⁷ Damen, 'Corrupt of hoofs gedrag'; 'Nerve centre', 80–2.

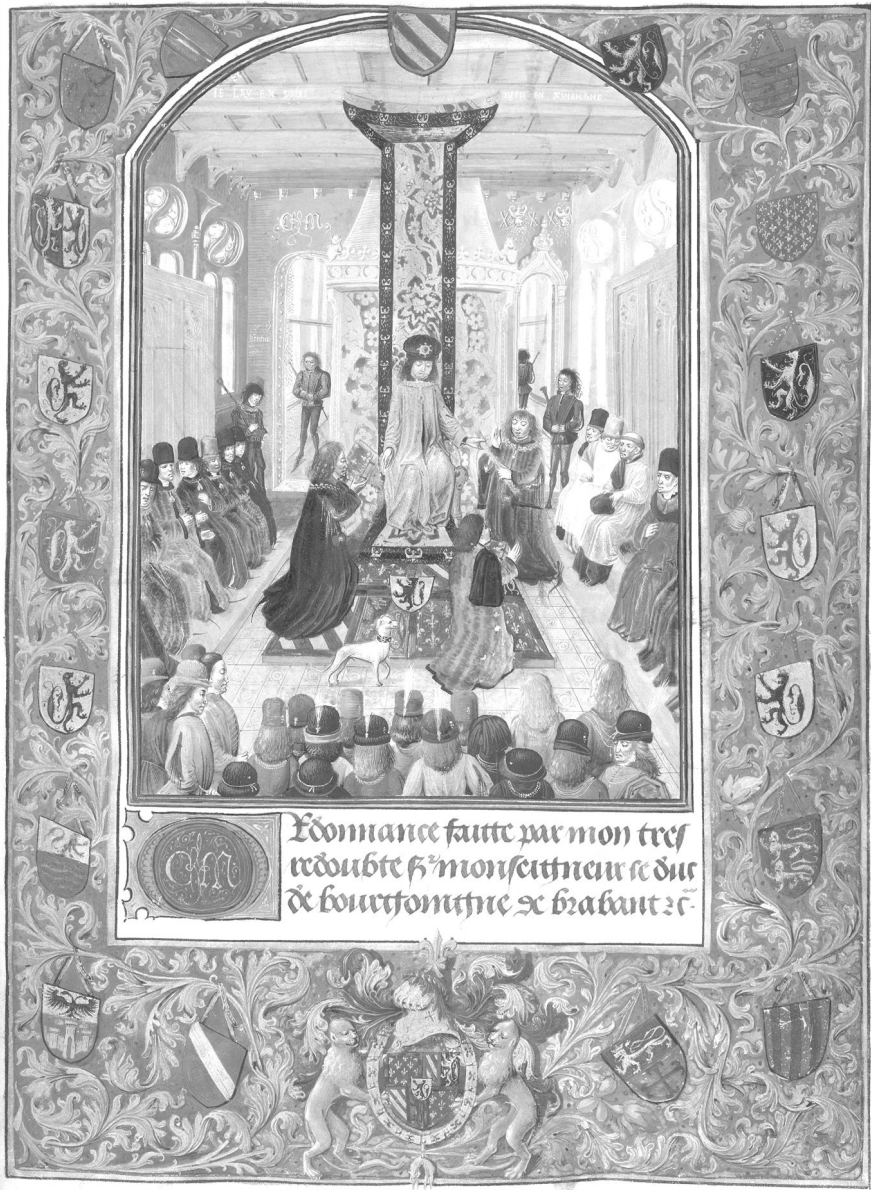


Figure 5.1. Charles the Bold presenting a military ordinance to the commanders (1473). The miniature is surrounded by the coat of arms of the Burgundian principalities. London British Library, Add. Ms. 36619, f. 5r

the Brabant court. Shortly after the inauguration of Philip the Good, the agreement was made that a separate household would be formed within the Burgundian court comprising eight Brabant or Limburg knights and twenty servants.⁸ These were the exceptions. During the whole of the Burgundian era, a large part of the chamberlains and stewards came from Burgundy and Franche-Comté, and to a lesser extent from the French-speaking parts of the Netherlands (Figure 5.2), which meant that the court was by no means an equal reflection of the geographic composition of the Burgundian union. It was not until 1477, when Maximilian of Austria came to power, that there was a more even distribution across the different provinces.⁹

Unlike some of the former dynasties, the dukes of Burgundy never opted for a permanent place of residence. The counts of Holland had shown a clear preference for the Binnenhof in The Hague, and the dukes of Brabant for the Brussels palace at Coudenberg.¹⁰ Other courts, such as those of the counts of Flanders and the dukes of Guelders, preferred to travel from one palace to another, as did the dukes of

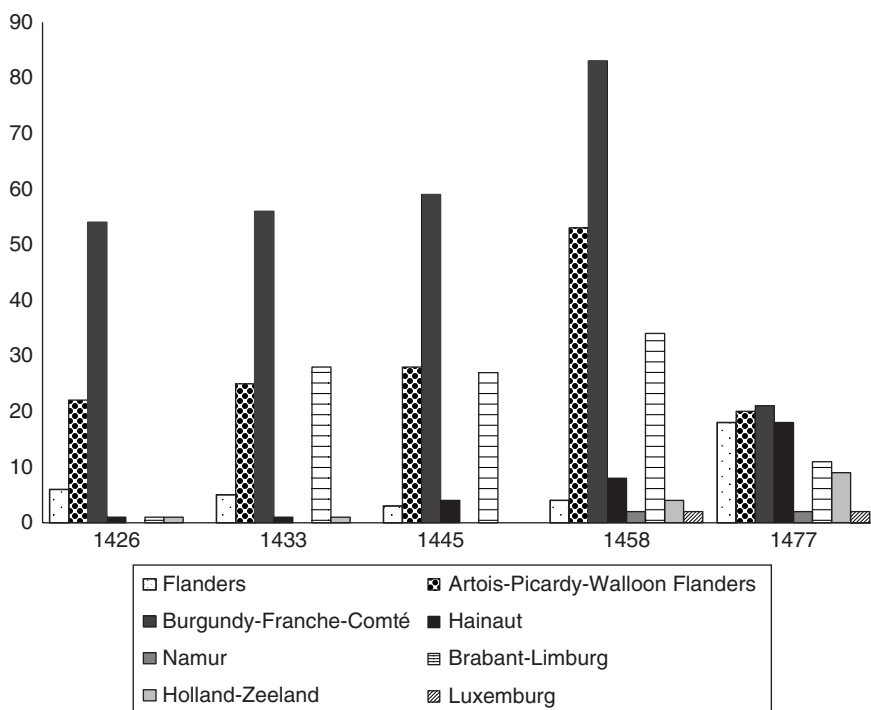


Figure 5.2. Geographic origin of the most important courtiers (*écuyers*, stewards, and chamberlains) based on the court ordinances, 1433, 1445, 1458, and 1477¹¹

⁸ Vandermaesen and Vandewoude, 'Hof', 29–30; Vaughan, *Philip the Bold*, 188–90; Paravicini, 'Expansion', 434–9.

⁹ Cools, *Mannen*, 30–5.

¹⁰ Van Oostrom, *Woord*, 14; De Jonge, 'Brüssel', 92.

¹¹ Paravicini, 'Expansion', 441; Cools, *Mannen*, 74.

Table 5.2. Places of residence of the court of Burgundy during the reign of Philip the Good (1419–67)

Place	%
Brussels	22
Lille	11
Bruges	10
Dijon	6
Ghent	4
Mechelen	0.5
Other	46.5
Total	100

Burgundy. Household effects, stables, library, archives, staff: everything and everyone was ready at the first indication from the duke to leave for another location. If it is at all possible to speak of a main Burgundian city of residence, then at the time of Philip the Bold and John the Fearless, this was Paris. During the reign of both their successors, the locations changed, although the pattern did not. This can be illustrated by the places of residence of Duke Philip the Good (Table 5.2). Most of his time was spent in the southern Netherlands; only rarely was he in the duchy of Burgundy and incidentally in Holland and Zeeland. It was only at the end of his reign that he demonstrated a clear preference for Brussels.

The presence of the prince and his court was highly important for several reasons, in particular, for the political and economic elites of the towns. With his presence, his authority, and his entourage, the duke signified a guarantee of stability. In a society where there was little reliable provision of information, the physical visibility of the prince was important: how did the populace otherwise know that the duke was still alive and in good health, mental and physical. His extended absence from Holland led in 1464 to the rumour that Philip the Good had not returned from a visit to the Emperor ten years previously.¹² For economic reasons, the presence of the court in a town was more important or at times even crucial than that of the prince himself. The court comprised a group of dozens or even hundreds of nobles who had considerable purchasing power. Not only this, many important lords also tended to establish their own residence close to the court.¹³ The provincial States or individual towns requested, and at times even demanded, the presence of the duke, the crown prince, or if necessary the duchess within the borders of the principality or the walls of the town. As duke of Brabant, count of Flanders, count of Holland, etc., the dukes had multiple identities and it was impossible for them to meet all these requests. They themselves realized this only too well, as Philip the Good explained in 1430 to the States of Brabant: 'Because we are not able to reside personally in our land of Brabant, as we have to govern and protect many other large principalities, which means we often have to be in different places and

¹² Paravicini, 'Residenzen', 484.

¹³ Stabel, 'For mutual benefit'.

lands'.¹⁴ Lille, Bruges, Ghent, Hesdin, Valenciennes, Mons, and Brussels were all competing for the favours of the duke, and as a means of trying to gain his favour had the ducal palaces embellished at their own expense. The events of 1458 are a good illustration of how this competition was played. The town of Valenciennes asked whether Philip the Good would reside for longer periods in the town. He was prepared to do so, on the condition that the town would renovate the Salle-de-Comte to make it into a comfortable residence, at its own expense. When the town offered him a sum of 3,200 écus to cover the costs, he replied that this was insufficient, given that at the same time Brussels had rebuilt Coudenberg at a cost of 40,000 écus, and Lille had spent 10,000 écus on Rihour palace.¹⁵

5.2.2 Chancellor and Privy Council

The Burgundian court, as well as being the household of the prince, was also a centre of administration. The dukes commanded a large number of principalities, lordships, and towns. They ruled over a territory of more than 100,000 km², with a population of almost 3 million people. Fortunately, they were not solely responsible for carrying out this difficult task. At the provincial level they were assisted by the stadtholders and regional councils—more will be said about this later—and centrally by their privy council, a group of advisers to the prince, that was comparable to the former feudal councils of the provincial dynasties. The privy council was supported by a number of secretaries, envoys, and other servants. In around 1450 the complete administrative centre—Privy Council, the Great Council, and the Financial Council that sprang from this, and the Chancellery—and all the supporting services was made up of some forty-five persons.¹⁶

The Burgundian court may well have set the tone for the Western world, but the same did not apply to the privy council that until the 1440s was responsible for government, the law, and financial policies. The kings of England and France had had well-organized institutions such as the Parliament of Paris, the *Chancellerie*, the Court of common pleas, the Chancery, and the Exchequer, since the twelfth and thirteenth centuries, that acted as sedentary, structured, and specialized extensions of the privy council and were responsible for the administration of justice, control of the accounts, and the administration proper.¹⁷ Up until the start of the sixteenth century, the legal and financial organization of the dukes of Burgundy continued to be decentralized and archaic, positioned within a travelling court and subject to major changes in terms of staffing, in spite of a failed experiment by Charles the Bold with the Parliament of Mechelen. In fact, the Chancellery

¹⁴ Brussels AR, CC 132, f. 11v–12r; compare: Gaillard, *Conseil* I, 25; Godding, *Conseil*, 73 and no. 8. For Flanders, see Bonenfant et al., *Ordonnances 1381–1393* I, 165; for Burgundy: Champeaux, *Ordonnances des ducs*, 106–10, no. XXVII (ordinance of 28 February 1422). For the viewpoint of the representative institutions: Zoete, *Handelingen* I, 10–11; Van Dixmude, *Merksaendige gebeurtenissen*, 28.

¹⁵ Paravicini, 'Residenzen', 476–89.

¹⁶ Stein, 'State's officers'. As a comparison: the Benelux covers nearly 75,000 km², has 28.2 million inhabitants, and some 275,000 public servants.

¹⁷ Guenée, *Occident*, 195–204.

was still the best organized institution, but this too continued to be part of the court organization, following the travels of the duke and other courtiers, always poised to record the orders and letters of the duke, the chancellor, and the receiver-general.¹⁸

The chancellor, as deputy chairman of the privy council, was undoubtedly the most influential man in the Burgundian lands after the duke. As head of the Chancellery he held the great seal, the 'signature' of the prince, with which he could alienate rights, domains, and possessions. Jean Canard, a scholar and cleric from the Ardennes region, was in 1385 the first person to hold this position. He was succeeded by a series of illustrious men, all of whom came from Burgundy or Franche-Comté, and all of whom had a university education. The description of Nicolas Rolin, who was Chancellor from 1422 until 1462, by chronicler Georges Chastellain, illustrates the importance of this post:

This chancellor governed everything alone, and organised everything whether it had to do with war, peace or finances. The duke relied on him for everything and there was no office or benefice in the duke's lands, in the town or in the countryside, no gift was given, no loan was made, without the chancellor's decision.

Of course, Rolin was not blind in his loyalty to the duke; he also had to reap some benefit himself. In 1435, for example, he arranged for the French King Charles VII to pay a sum of 10,000 golden écus to convince Philip the Good to accept the treaty of Arras. This donation was not unique; in the thirty-five years that he was chancellor, he managed to amass immeasurable wealth, as Chastellain knew, but was unable to record: 'He acquired from all this such an amazing, inestimable advantage that there are no words to describe it and in one's heart one can barely believe it because it was so astonishing'.¹⁹ Given this history, it is no surprise that the place of Rolin was usurped in 1457 during a palace coup by the Croÿ family—family relations of one of the mistresses of John the Fearless.²⁰

Rolin's background—university educated, descended from the urban patriciate, from the southern provinces—could be the model for the other chancellors, but not for the members of the privy council.²¹ Most of them distinguished themselves by their noble rather than their academic titles. However, when the privy council met to discuss complex legal or financial matters, it was not uncommon for several non-aristocratic specialists from one of the provincial council chambers to be present.²² As an example, the council, when it delivered a judgement in Lille in 1394, comprised the Chancellor, six noblemen, three clerics, and Maistre Jean de Nieves, a member of the Council of Flanders.²³ This format continued until the

¹⁸ Kruse, Paravicini, *Hofordnungen*, *passim*; Cockshaw, *Personnel*, 92–8. The archiving of charters and records, that would necessitate a permanent location, was not taken care of by the Chancellery, but by the archive depots affiliated to the regional councils and audit chambers of Dijon and Lille.

¹⁹ Chastellain, *Oeuvres* III, 330.

²⁰ Vaughan, *Philip the Good*, 336–40.

²¹ Cools, *Mannen*, 30–40; Paravicini, 'Court'; Paravicini, 'Residenzen'.

²² Boone, 'Juristes', 111–12; 'Particularisme', 99, no. 78; Cockshaw, *Personnel*, 88–9; Van Rompaey, *Grote Raad*, 4–5.

²³ Van Rompaey, *Grote Raad*, 4–6.

period between 1435 and 1445. Gradually, a legal Great Council came into being, comprising a mixture of councillors-chamberlains from the aristocracy, and university-trained *maîtres des requestes*. At the same time, a second, more specialized council of finances sprang from the privy council, in which professionals were appointed, often from the towns, who had earned their name in the financial world of trade or local receiverships.²⁴ In several respects, a temporary balance was reached in 1477, when the States-General demanded that at least half the members of the Great Council should be noblemen and half 'clerks in law'.²⁵

One such financial specialist was Pieter Bladelin, alias the Leestmaker (Lastmaker). He was not one of the group of noblemen who had previously held power, but had commercial roots and experience in the world of finance. Bladelin was born in around 1410, the son of a Bruges merchant. Rather than opting for a commercial career, he used his wealthy inheritance to fund a profession as a financial specialist, initially as treasurer for the city of Bruges. During the Bruges revolt in 1436 he impressed Philip the Good with his efforts to reach a settlement between the duke and the town, and in 1440 he was appointed receiver-general of all finances. This was the start of a long career within the Burgundian financial administration. In 1444 he was appointed governor-general and treasurer of the Burgundian finances. On his death in 1472, he was among the most powerful men in the Burgundian world and was the holder of an aristocratic title: lord of the town of Middelburg in Flanders, that he himself had founded.²⁶ Bladelin's career was not unique. Willem de Poupet (died in or after 1473) was probably the son of a receiver for the salt-works at Salins (Franche-Comté).²⁷ Pieter Lanchals was the son of a carpenter from Bruges. He had a meteoric career that culminated in an appointment as receiver-general and treasurer. However, the people of Flanders were less appreciative of his unscrupulous loyalty to the duke and his contempt for their interests, and his career came to an abrupt end on the gallows in Bruges.²⁸

Like the court, the judicial Great Council was far from being a balanced reflection of the Burgundian composite monarchy. For a long time, this council was dominated by the French-speaking aristocratic elite, particularly from Burgundy and Franche-Comté.²⁹ During the crisis following the death of Charles the Bold, the States-General demanded a more equal geographic distribution. In the so-called General Privilege, Charles' daughter Mary had to promise to appoint a Great Council made up of members who spoke Dutch, French, and German, and

²⁴ Lameere, *Grand Conseil*, 61–2; Van Rompaey, *Grote Raad*, 107–8.

²⁵ Van Rompaey, *Grote Raad*, 18–44, 60–1, 504–6; Van Rompaey, 'Hofraad', *passim*; Kruse, Paravicini, *Hofordnungen*, *passim*; also in the court ordinance of 1495 the Great Council was mentioned as an organization with a fixed structure: Cauchies, 'Regenterie', 70–3, 84; Blockmans, 'Privilege voor alle landen', 90, art. 1; Cauchies, 'Professionalisation', 32; Kerckhoffs-De Hey, *Grote Raad*, 1–2, 33, 79–80.

²⁶ Lameere, *Grand Conseil*, 168, 188; Arnould, 'Estimation', 133–4; 'Sources'; Bonenfant, *Philippe le Bon*, 129; De Clerq et al., 'Vivre noblement', 4–6 and *passim*.

²⁷ Bartier, *Légistes*, 401–6.

²⁸ Boone, 'Hollande'; compare the biography of Guilbert de Ruple, also receiver-general and treasurer: Papin, 'Guilbert de Ruple'.

²⁹ Bartier, *Légistes*, 44–56; Cockshaw, *Personnel*, 38–53.

Table 5.3. Origin of the members of the Great Council, as determined in the General Privilege and actually appointed 1477³⁰

Province	General privilege	Appointed
Burgundy	4	4
Artois-Picardy	2	2
Hainaut	2	1
Namur	1	0
Brabant	4	4
Flanders	4	5
Holland-Zeeland	4	2
Luxemburg	2	0
Limburg, Overmaas	2	1

who originated from the different provinces. Mary did observe this promise partly when appointing the council in 1477, resulting in a much greater geographic spread of the council members than had previously been the case. In particular the Dutch-speaking areas benefited, but there was nonetheless no question of a punctual adherence to the terms of the General Privilege (Table 5.3).

Given the imbalance in the geographic origin of the courtiers and council members, one may question whether this was redressed by the Order of the Golden Fleece. Philip the Good established this order in 1430, after his marriage to Isabelle of Portugal. From 1431 onwards it comprised thirty-one members.³¹ A small staff was appointed to promote the splendour of the order and its members. Membership was in several respects exclusive. The members all belonged to the high nobility, and their loyalty was exclusively to the dukes. One of the prime conditions for entry was that the candidate had to terminate his membership of the orders of any other rulers. Two such knights, Jean de Vergy and Guy de Pontailler, were given to understand in 1433, 'le plus doucement et honnorablement que faire pourroient', that they were required to resign as members of the Orders of the duke of Bedford and of Emperor Sigismund respectively.³² This practice created a loyal group of high noblemen, a way of bonding together the most important courtiers, officers, and allied princes. The geographic origin of the members differed somewhat from that of the courtiers; most came from Picardy, Artois en Walloon Flanders, and to a lesser extent, from Burgundy and Franche-Comté (Figure 5.3). Initially none of the members came from Holland, Zeeland, or Brabant. We can assume that Philip the Good was aiming to redress the balance somewhat in 1445 when he appointed Frank of Borselen, Henry of Borselen, and Reinout II of Brederode from Holland-Zeeland. Throughout the whole Burgundian period, there was only one Brabant member.³³

³⁰ Kerckhoffs-De Heij, *Grote Raad*, 75.

³¹ De Gruben, *Chapitres*, 3–18 and *passim*; Boulton, *Knights*, 360–2.

³² Armstrong, 'Burgundian government', 229, no. 5; De Gruben, *Chapitres*, 20–1.

³³ Rosenfeld, 'Provincial governors', 18–19.

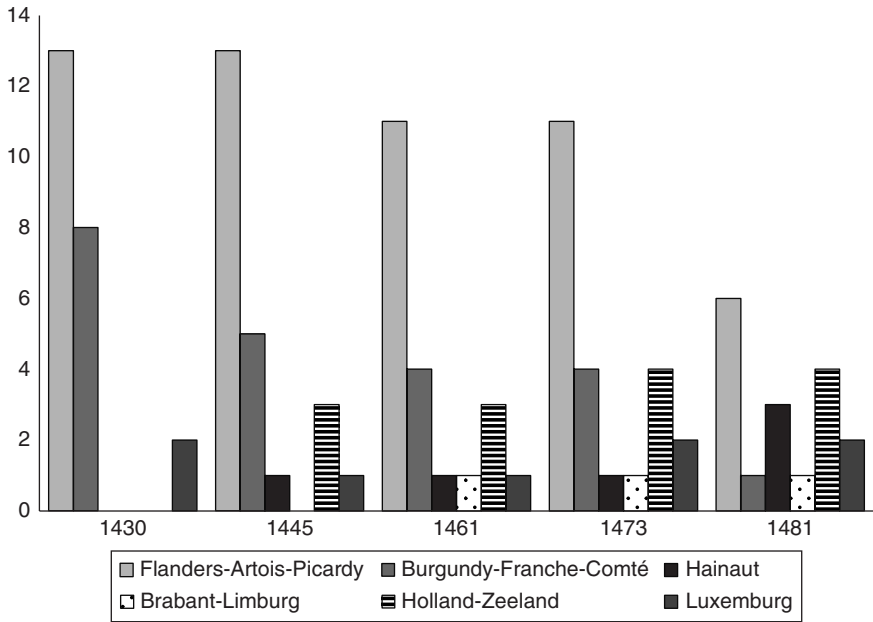


Figure 5.3. Geographic origin of the knights of the Order of the Golden Fleece, 1430–81³⁴

The chapter meetings of the order—initially held annually but later intermittently—took place at different locations within the Burgundian union. These were spectacular events, true products of the Burgundian theatre state. They gave the dukes and the members of the order the opportunity to demonstrate their power and status. During the reigns of Philip the Good and Charles the Bold, thirteen meetings were held, almost always in major towns such as Bruges, Valenciennes, and Lille. This choice of towns clearly emphasizes the region where the court was frequently located: Flanders, Walloon Flanders, and Picardy (Table 5.4).³⁵

The location of the duke and his court, the composition of the court, and the privy council give an indication of how far the different provinces were integrated within the Burgundian composite monarchy. The only possible conclusion of this brief overview is that they occupied a completely different place. In German literature a distinction is made between *königsnah*, *königsoffen*, and *königsfern*, to indicate—in descending order—the intensity of the involvement of the emperor in matters of government.³⁶ For the Burgundian union we can make a comparable distinction into *herzogsnah*, *herzogsoffen*, and *herzogsfern*. The involvement of the duke and his privy council in the southern Netherlands was relatively intensive, whereas in the north this was much less the case. In particular the region of West-Brabant, Flanders, Walloon-Flanders-Artois, and Hainaut, the duke's preferred

³⁴ Paviot, 'Recrutement', 75.

³⁵ Baelde, 'Ordre', 6–11.

³⁶ Moraw, 'Wesenszüge', 74.

Table 5.4. Chapter meetings of the Golden Fleece, 1430–77

Province	Number of chapters
Flanders	4
Brabant	1
Walloon Flanders/Artois	4
Hainaut	2
Holland-Zeeland	1
Burgundy-Franche-Comté	1

location for his court and government, were *herzogsnah*. The duchy of Burgundy, well represented at the court and in government, geographically distant from the most popular court locations, was more typically *herzogsoffen*. Holland-Zeeland, Franche-Comté, and Luxemburg were less fortunate. It was very rare for individuals from these regions to penetrate through to the highest levels of Burgundian government, and the duke himself was rarely to be seen there. They can therefore be characterized as *herzogsfern*.

5.3 THE PROVINCES

5.3.1 Stadtholders and presidents

Following the assumption of power by the Burgundian dynasty, in most provinces a stadtholder or governor was appointed. The same occurred in Holland, Zeeland, and Luxemburg, but here the appointments were made when Philip the Good assumed power in practice, but before he had actually acquired the formal legal titles (Table 5.5).

The dukes were able to learn from the experiences in France. Particularly during the early years of the Hundred Years' War, the French kings frequently appointed governors or stadtholders in outlying provinces, specifically to defend the royal power. Sometimes they are referred to as *vice-roi*, which probably best typifies their position: they took over the public role of the king and had at their disposal extensive military and administrative powers.³⁷ We can assume that the governorship of the duchy of Burgundy in particular served as an example for the Netherlands. Following the death of Philip of Rouvres in 1361, King John the Good appointed a stadtholder there and Philip the Bold probably followed this tradition when he appointed Geoffroy de Blaisy as his deputy in 1366, so that he himself could remain in Paris, at the nucleus of power. It was not only in France that stadtholders were appointed. Whenever a prince of the Empire was absent for a long period, his place was filled by a reliable senior nobleman or a close family member. From 1299, Hainaut was for instance joined in a personal union with Holland and Zeeland.

³⁷ Guillot et al., *Pouvoirs*, 181–2; Damen, 'Linking court', 259.

Table 5.5. Date of appointment of a stadtholder in the Burgundian provinces³⁸

Province	Year
Burgundy	1366
Franche-Comté	1384
Limburg-Overmaze	1397
Walloon-Flanders	1384
Zeeland	1425
Holland	1426
Namur	1430
Hainaut	1434
Luxemburg	1444
Guelders	1473

As the counts mostly resided in their northern provinces, this also necessitated a resolution to the delegation of power in Hainaut. In 1305, William III appointed his mother Philippa as his 'souverainne mainteneresse et gouverneresse' in Hainaut, and after 1370, her distant successor, the great bailiff (*grand bailli*), managed to secure for himself the position of more or less permanent deputy to the count. In Luxemburg, too, where the descendants of the provincial dynasty gave greater priority to their position as King of Bohemia or Duke of Brabant, the position of stadtholder became a semi-permanent fixture. In the period from 1404 to 1406, the later Duke Anton acted as governor (*ruwaard*) in Brabant for his aunt Joanna who was suffering from dementia.³⁹

Just like their predecessors, the dukes of Burgundy in some cases appointed family members as stadtholders. Margaret of Bavaria, wife of John the Fearless, for example, represented the duke's interests in Burgundy and Franche-Comté from 1410 until her death in 1424. Occasionally they might appoint noblemen from the provinces. However, there were risks inherent in this. After the appointment of the lords of Borselen in 1430 as governors of Holland and Zeeland, for instance, it soon became clear that, with their extensive knowledge of the provincial circumstances and power relations, they were able to create for themselves a position of considerable power to the detriment of the financial and political interests of the dukes themselves.⁴⁰ From the 1430s a more structural policy was devised to govern appointments to these posts. To avoid mishaps and to guarantee their allegiance to

³⁸ Rosenfeld, 'Provincial governors', *passim*; Cools, *Mannen*, 43–5; Alberts, 'Bourgondische bezetting'; Van Steensel, *Edelen*, 101; Baurin, *Gouverneurs*, 25–6; Van Peteghem assumes that the Flemish governor was not appointed until the 1490s, but he is referring to a Habsburg-style governor, with a strongly military role: Van Peteghem, 'Gouvernor', 99; earlier, in 1311, the French King had appointed a governor in Walloon-Flanders: Paresys, 'Sovereign stewardship', 505; Richard, 'Gouvernor', 103; Meisen, *Brabant*, 268; Gresser, *Franche-Comté*, 252; Foucart, *Gouvernance*, 84–9; Henin, *Pouvoirs politiques*, 105–33.

³⁹ Pinchart, *Histoire*, 6; Reichert, *Landesherrschaft*, 626–44; Van Camp, *Oorkonden*, 28.

⁴⁰ Stein, 'List'.

the Burgundian cause, the dukes of Burgundy almost always appointed outsiders. As an example, none of the governors of Namur were born in that county, and the same principle applied in Holland and Zeeland—at least, apart from the lords of Borselen. In general, those appointed to the post of governor were high noblemen, closely connected to the courtly nucleus of power, and preferably knights of the Order of the Golden Fleece.⁴¹ They were formally appointed by the duke and they received a generous salary in exchange for their services.⁴² Their high status, their membership of the order, and their close relationship with the duke meant that they were frequently absent from their own province to promote their own interests and those of the subjects at court.⁴³

The stadtholders deputized for their lord in his role as duke or count, which also determined how they carried out their duties. Their role, on the one hand, was military and policing—defending the territory and maintaining public order—and on the other hand, they also had an administrative position, acting as chairmen of the provincial councils. They represented both government and justice and convened the provincial States on behalf of the ruler. They also appointed the town councils, an exceptionally delicate and potentially explosive matter in urban political and social affairs. Their most important task was liaising in the communication between duke and provinces; they were also responsible for implementing the ordinances issued by the Burgundian government. At the same time, they might act as intermediaries on behalf of the subjects. After the death of Charles the Bold, the political-administrative authority of the stadtholders declined and the position took on a more military character.⁴⁴

The stadtholders were great lords. Louis of Gruuthuse, stadtholder of Holland and Zeeland from 1462 to 1477, maintained an almost princely state in Bruges.⁴⁵ His predecessor Roland of Uutkerke, governor from 1426 to 1430, did likewise; he had his own court and a personal herald. The work entitled *Dat kaetspel ghemoralizeert*, that describes the process of the law in the Council of Flanders, gives a good impression of his court. The author, Jan van den Berge, member of the council, dedicated it to Uutkerke:

You will probably remember how I recently attended a dinner in the city of Bruges in your company and with many other distinguished persons. Throughout the dinner only the most joyful and positive noises were heard. There was singing and joyfulness, new poems were tried out, ballads, roundels and virelais and poems were presented. A lady presented a new poem, nicely and pleasantly, that was listened to and approved by you, dear and eminent lord, and by the company. Only the most positive and happy noises were heard at this dinner.⁴⁶

⁴¹ Richard, 'Gouverneur', 101–3.

⁴² Damen, *Staat*, 46–7, 223–32; Van Werveke, 'Notice', 259–61.

⁴³ Von Seggern, *Herrschermieden*, 117–23.

⁴⁴ Pouillet, 'Gouverneurs'; Rosenfeld, 'Provincial governors', 20–4; Put, 'Kanselier', 140–1; Van Peteghem, 'Gouverneur', 106–10; Damen, *Staat*, 50–61; Damen, 'Linking court', 260–2; Cools, *Mannen*, 43–5; Cauchies, 'Grand bailliage', 138–40; Paresys, 'Soeverein baljuwschap', 508–11; Henin, *Pouvoirs politiques*, 120–1, 127.

⁴⁵ Martens (ed.), *Lodewijk van Gruuthuse*, *passim*; compare: Damen, *Staat*, 464–5.

⁴⁶ Jan van den Berge, *Kaetspel*, 110; Damen, *Staat*, 492–3.

As the history of Guillaume de Lalaing shows, things could also go spectacularly wrong with great lords. In 1440, when he was appointed stadtholder of Holland and Zeeland, he was apparently either unable or unwilling to exercise the caution that was necessary in the politically sensitive environment in which he found himself. He sided openly and clearly with the Hook faction. Having suffered for a long time under the Cod yoke, the Hooks now saw their chance and seized power in Haarlem, Leiden, and Amsterdam. Willem reaped the benefits in the form of many courtesies, gifts, and loans. As might be expected, the revival of the Hook faction had wide repercussions: groups of thugs banded together; raids were carried out; and exiles were pronounced. Fifteen years after the Treaty of Delft, the counties were again teetering on the edge of civil war. In 1444 the situation became so serious that the States of Holland called for the duke to intervene. Philip and Isabelle initially had no inclination to take a hard line with their childhood friend and courtier, but the situation posed a serious risk for the States, and they threatened to block the renewal of the aid. First the duchess travelled to The Hague, accompanied by a strong delegation, swiftly followed by Philip the Good himself. In view of the finances that were eagerly awaited from Holland, it proved necessary to withdraw Lalaing as stadtholder.⁴⁷

The dukes of Burgundy appointed a stadtholder in most provinces, but not in Brabant and Flanders. In these provinces, continuity of authority was in the hands of the presidents of the council chambers, individuals who distinguished themselves not by their aristocratic background, but rather by their academic titles. In 1384 the high nobles Guy de Pontailler and Jan van Gistvanel were appointed as governor of Flanders and they were succeeded by several others, including Count William of Namur, but once Philip the Bold returned from Paris, he resumed the task of government and oversaw the maintenance of law and order himself.⁴⁸ In 1386 the lawyer Peter van der Zijpe was chief of the Council of Flanders, followed in 1405 by Peter of Camdonc, who was in turn succeeded in 1409 by Simon of Formelis. Meanwhile the title of chief became obsolete and was replaced by the term *president*. In Brabant legal specialists were appointed as head of the provincial council, where they gave themselves the embellished title of chancellor. The presidents and chancellors were legal experts and as such could not rival the courtly and aristocratic-military profile of the other governors; their salaries were also much lower. Nonetheless, they were able to create for themselves a position of considerable power. The chairman of the Flemish Council was also referred to as 'president of Flanders', while the chancellor was known as 'le petit duc de Brabant'. Obviously nobody would expect a learned president or chancellor to physically play a part in maintaining law and order. The heavy work was done in Flanders by the sovereign bailiff and in Brabant by the *drossaert*.⁴⁹

It is not completely clear why the dukes did not appoint a stadtholder in Flanders and Brabant. Undoubtedly an important factor was that if the combination of

⁴⁷ Damen, 'Linking court', 261–2; *Staat*, 364–82; Oversteegen, 'Hoeken'.

⁴⁸ Verwerft, 'Blauwdruk'.

⁴⁹ Put, 'Kanselier'; Smolar-Meyart, *Justice, passim*; Godding, *Législation*, 21; Dumolyn, *Raad*, 59–61; Boone 'Soeverein-baljuw'.

military and administrative responsibilities were in the hands of a single person, this could lead to an unwelcome accumulation of power. This was a danger particularly in socially unstable Flanders which was of crucial importance for the cohesion and the financial survival of the Burgundian union. In Brabant the appointment of a chancellor was in part the consequence of exhortations by the provincial States. A more important consideration was probably that Brabant and Flanders were in the heart of the Burgundian Netherlands, where the ducal court was located most of the time. The presence of the duke himself avoided the necessity of appointing a permanent stadtholder.

The career of the Brabant chancellor Jan Bont can serve as a model for the learned chairmen of the councils of Brabant and Flanders. Born in the north of the duchy, he acquired the title of doctor *utriusque juris* at the University of Paris. In 1414 he was catapulted by his uncle Willem Bont, lawyer and secretary to the duke, into the ducal administration, but in actual fact, he was a servant of the whole Burgundian dynasty. As adviser, ambassador, and procurator general he served John the Fearless, Anton of Brabant, Philip of St Pol, and Philip the Good. There is evidence of his work in Rome, Aachen, Frankfurt, Paris, and Holland-Zeeland. His allegiance to the Burgundian cause was rewarded with a lavishly subsidized ecclesiastical career, an enormous salary, and finally in 1430, with the appointment as chancellor of Brabant. In 1445 his sight had deteriorated so much that he was no longer able to function properly. At his own request he was discharged as chancellor but he remained on the payroll as a council member until his death in 1454.⁵⁰

Things could also go wrong with the learned presidents, but then in a completely different way, as can be seen by the sad fate of the Flemish lawyer Goeswijn de Wilde, who was president of the Council of Flanders between 1440 and 1445 and subsequent to this held the equivalent position at the Council of Holland until 1448. Following the fiasco of the stadtholdership of Guillaume de Lalaing, De Wilde, an academic, was appointed to apply his many years of experience in reorganizing the Council of Holland. However, problems soon developed. De Wilde, who was apparently unaware of the relationships in the north, accused the villainous procurator-general Bengaerd Say of the murder of an inhabitant of Medemblik. This was ill advised. Bengaerd was a mafioso, whose life was a sequence of semi-legal and illegal affairs, but who above all had an excellent network among the nobility of Holland and at the ducal court. He retaliated by accusing Goeswijn of sodomy, a very serious offence, which led to the president being arrested. Lengthy denials were to no avail. Under torture he eventually confessed and was executed in Dordrecht. Bengaerd himself, of course, emerged better from the conflict than his adversary. It is true that he was dismissed as procurator-general, but until his death in 1469 he continued to be involved in all kinds of dubious affairs.⁵¹ After the failed presidency of the unfortunate Goeswijn, Philip the Good reverted to the

⁵⁰ Godding, *Conseil*, 79–81; Uyttebrouck, *Gouvernement*, 666, no. 32; Brussels AR, CC 2408/I, f. 107v–108r; Brussels AR, CC 2412/II, f. 80r.

⁵¹ Nip, 'Bengaert Say'; Damen, *Staat*, 489–90.

former model, appointing the high nobleman Hugues de Lannoy from Walloon Flanders as governor of Holland and Zeeland.

5.3.2 Regional Councils

When shortly before 1445, during the period that Guillaume de Lalaing was stadtholder, the old differences between Hooks and Cods again flared up, this also had consequences for the Council of Holland, of which Lalaing was chairman. At the time this council was a semi-open forum. Apart from the eight ordinary council members, dozens of extraordinary members had access to the meetings and supporters of the different parties met on a daily basis to loudly voice their vision of the process of justice.⁵² In a last-ditch effort to put an end to the conflict between the factions that had plagued the counties for more than a century, the States of Holland and Philip the Good decided to revise the institutions of government and justice. The council was turned into a more or less closed chamber, comprised of members who received a salary. A clerk was appointed to record and monitor the proceedings, and a procurator-general to safeguard the interests of the duke. The dozens of semi-formal council members who had previously thronged around the Binnenhof were dismissed.⁵³ In addition, a new audit office was established, also a closed chamber, comprising two experienced masters and a clerk. The council chamber and audit office were responsible on behalf of the duke for the administration, the law, and control of the finances.

In a period of twenty years, since the time of John of Bavaria, the government of Holland and Zeeland had undergone major developments. The originally loosely defined council of the count had now evolved into two closely defined institutions. As an illustration, previously the council members had no fixed income, they were maintained at the count's court at his expense. Now they all received a salary and were given a formal appointment. At the time of John of Bavaria (1420–5), as many as thirty-three council members were involved in hearing the accounts, but once the audit office of The Hague was established, only three council members were involved. The social background of the council members also changed radically. In John's council fifteen people were termed 'lord' and one 'master'. In 1445, four 'masters' were appointed to the Council of Holland and seven 'lords'; in the audit office there were two 'masters' and no 'lords'. Previously, the council would be located wherever the count wished, but now the council had a permanent seat at the Binnenhof in The Hague.⁵⁴ The developments in Holland were no exception. In all provinces the spread of Burgundian power meant that new council chambers were established, comprising a core council and a number of legal departments, and elsewhere, it was not until some time after the formal assumption of power that these acquired their definitive structure (Table 5.6). The judicial departments—the ministry of public affairs and the clerk of court—will be

⁵² Jansma, *Raad*, 93–4; Oversteegen, 'Hoeken'; Damen, 'Raad'.

⁵³ The appointment of a procurator-general took place some years earlier, in 1434.

⁵⁴ Bos-Rops, *Graven*, 317–18; Jansma, *Raad*, 132–4.

Table 5.6. Date of the establishment of the provincial councils: core council and permanent location⁵⁵

Province	Assumption of power by Burgundy	Core council	Permanent location
Flanders	1384	1409	1386
Burgundy	1363	1422	Ca. 1360
Hainaut	1427	Ca. 1428	Ca. 1500?
Namur	1429	1429	1429
Brabant	1430	1432	1431
Holland-Zeeland	1425	1445	1434
Luxemburg	1444	1444	1444
Guelders	1473	1473	1473

addressed in Chapter 6. I will focus here on the core council, that had both a legal and an administrative task.

The significance of the spread of the Burgundian dynasty for how government was structured in the provinces can be summed up in three closely connected developments: an official statute for the council members, a fixed structure for the chamber of council, and a permanent location.

In his classic *Wirtschaft und Gesellschaft* (*Economy and society*), Max Weber describes the rise of bureaucracy, the civil servant and the development of civic institutions as part of the process of the transition from patrimonial or feudal domination, where all institutions were centralized at court, to legal domination.⁵⁶ Naturally, Weber worked with ideal types, and his blueprint of a typical bureaucratic government was never to become reality, not even in our own time. Still, the takeover of power by Burgundy meant an abrupt transition for the government of the provinces of the Netherlands that can reasonably be seen in the light of the contrast between feudal and bureaucratic systems. In the situation before the assumption of power by Burgundy, the administration was in the hands of the prince and his council. The rationale of these councils was primarily feudal: most council members were vassals who were bound by feudal custom to advise the prince, while others were part of the prince's household. Traditionally they received no salaries but were given bed and board at the prince's court, generally in combination with donations in kind, such as clothing and fuel.⁵⁷ Of course, they were assisted by secretaries who received a benefice in return for their services, or by specialists who did receive some form of salary. The disappearance of the regional courts literally robbed this system of its foundation. The feudal rationale disappeared—not

⁵⁵ Dumolyn, *Raad*, 54–5, 67–9; Champeaux, *Ordonnances des ducs*, CXLII–CXLIII; Richard, 'Institutions', 220–1; Douxchamps-Lefèvre, *Province*, 19–21; Godding, *Conseil*, 76, 84–95; Damen, *Raad*, 41; 'Raad'; Jansma, *Raad*, 132–3; Van Werveke, 'Conseil', 257–9; Maris, 'Raadkamers', *passim*; Henin, *Pouvoirs politiques*, 217–59. Véronique Flammang supplied the data regarding Hainaut.

⁵⁶ Weber, *Wirtschaft*, 636–40.

⁵⁷ Dumolyn, *Staatsvorming*, 70, 76; Buntinx, *Audiëntie*, 129–30; Van Riemsdijk, *Tresorie*, 27–9, 109–10, 130–1, 229–31; Brokken, *Ontstaan*, 130–2; Smit, *Rekeningen* III, 9–12; courtiers did receive a (financial) allowance at the Hainaut court: Mariage, 'Hotel', 84.

immediately nor completely, but certainly in essence. It was replaced by a system of civic service. Council members were now selected primarily on the basis of competence, and in the course of time the institutions had clear regulations setting out their duties, accessibility, and costs. The most obvious change was the introduction of the systematic payment of salaries, both to the stadtholders and to the council members and masters of the audit offices. This is illustrated by the ordinance of 8 February 1420, in which Philip the Good determined the level of the salaries of the Council of Flanders. This ordinance established that the president and the three noble council members would receive 500 or 400 francs a year, and the five ordinary council members 300 francs.⁵⁸ Salaries in Brabant and Holland were also regulated. In Brabant the majority of the council members received a salary equivalent to 315 pounds, in Holland a distinction was made between nobles who received 350 pounds and non-nobles who had to make do with 280 pounds. This was a fundamental change in perspective, in spite of the fact that all kinds of remnants from the former, feudal period persisted, that some council members regarded their position as an honorary function, that there was an almost complete lack of what we would today refer to as 'work ethos', and that the new councils acted in all provinces as feudal courts, and were on occasion extended with a varying number of noble members.

Closely related to the above, the structure of the councils also changed: the at-best semi-organized structure of the old princes' councils were replaced by the—in theory—permanent structures of the colleges, 'les president et collègue de la Chambre', as Philip the Good referred to the Council of Flanders in 1451.⁵⁹ The link with the rise in power of Burgundy is obvious (Table 5.6), but that does not mean that the structure was also dictated by the Burgundian government. The development was influenced on the one hand by provincial traditions, as in Flanders and Brabant for example, where the count's Audience and the Council of Duke John IV were the starting point respectively. On the other hand, it often took some time before the political situation was stable enough to create societal support for the new institutions, as was the case in Holland.

Undoubtedly the new structures were partly inspired by those found in the ecclesiastical, university, and secular courts of law where the Romano-canonical procedure was prevalent—including the Parliament de Paris. As we will see in Chapter 6, this is where such departments as the Ministry of Public Affairs and the clerk of court's office derived from.⁶⁰ It is also no coincidence that the increasingly narrow definition of the council chambers coincided with their increasing professionalization as supreme courts of law—and therefore with a decrease in their role as administrative bodies. The formation of such closed chambers was in the interests of both the Burgundian administration and the provincial subjects. For the

⁵⁸ Dumolyn, *Staatsvorming*, 77–8. This reasonably reflects the situation in practice (78–9).

⁵⁹ Vandenpeereboom, *Conseil*, LXVI, LXX–LXXII, etc. An earlier reference to the Council of Flanders as a 'college' can be found in the ordinance of 1409: Cauchies, *Ordonnances* III, 153.

⁶⁰ Brundage, *Medieval canon law*, 120–53; Van Caenegem, *Instellingen*, 176–8; Nolet, Boeren, *Kerkelijke instellingen*, 225–9; Kuys, *Kerkelijke organisatie*, 150–3.

dukes a stable institution meant they could safely delegate their authority, and it was not unusual for princes to do so when they were absent. As early as 1361–84, Countess Margaret of Male, Philip the Bold's mother, appointed a council comprising four reliable members that could assume authority over Franche-Comté during her frequent absences. In 1387, shortly after his assumption of power in Flanders, Philip the Bold delegated power in the county to a council of regents, comprising four members who acted under the supervision of William Crown Prince of Namur so that he himself could concentrate on his affairs in Paris. Between 1419 and 1435, Philip the Good established no fewer than six councils of regents, all with a closely defined membership, under the supervision of the duchess, the crown prince, or a high nobleman.⁶¹ It was also important for the subjects that the scope of the council chambers was closely defined. Fearful as they were of the vagaries of feudalism, public unrest, partisanship, and conflict between factions, they preferred to have a fixed number of carefully selected and professional council members, so that not just any Tom, Dick, or Harry could act as the supreme judge or terrorize the citizens by the grace of the duke. The citizens had long been familiar with the town councils that were also closed colleges. Long before the rise of Burgundy, the representative institutions, or the powerful secular orders, opted for the college structure for the organization of provincial or supra-provincial administration.⁶² The Council of Kortenberg, for example, enforced by the Brabant towns in 1312, consisted of fourteen members: four noble knights, three citizens from Leuven, three from Brussels, and a single citizen from Antwerp, 's-Hertogenbosch, Tienen, and Zoutleeuw, respectively.⁶³ When the towns of Brabant and Flanders concluded a treaty in 1339, this detailed precisely how a ten-man arbitration board should be made up of nobles and citizens from both counties.⁶⁴ In Flanders, the cities—and in particular Ghent—established a committee in 1377, comprising the sovereign bailiff and twenty-three persons who were charged with monitoring the policies of the prince's officers. The chairman would be appointed by the count, but the other members were elected by Ghent, Bruges, and Ypres.⁶⁵ In the first half of the fifteenth century, even more complex institutions developed under pressure from the Brabant and Guelders States. In 1416 the States of Brabant instituted an eleven-man custodial council that governed the country under the responsibility of a broader council made up of the Brabant nobles and third order. In Guelders, from 1423 to 1430 and from 1449 onwards, there was a council of sixteen people—eight nobles and eight citizens—who in turn delegated authority to a smaller council comprising five members.⁶⁶

In the Burgundian period, the provincial council chambers were generally formed in discussion with the provincial representative institutions. A list of complaints by the Members of Flanders formed the basis for the definitive structure of the

⁶¹ Rey, 'Marguerite de Flandre', 247–53; Verwerft, 'Blauwdruk', 2–7; Lameere, *Grand Conseil*, 71–6; Van Rompaey, *Grote Raad*, 12–17.

⁶² See, for example, Van Uytven, 'Stedelijk leven', 226–7.

⁶³ Van der Straeten, *Charter II*, 12–19.

⁶⁴ *Den luyster I*, 111–12.

⁶⁵ Dhondt, 'Origines', 46; Boone, *Gent*, 201–2.

⁶⁶ Uyttebrouck, *Gouvernement*, 281–6; Noordzij, *Gelre*, 166–70.

Council of Flanders in 1409, when a core council was instituted as well.⁶⁷ When Philip the Good assumed power in Brabant, he promised in his Joyous Entry to set up an administrative council comprising seven members who would rule over Brabant. This administrative council very soon fell into disuse, and was replaced by a council chamber that was composed of different members, but that was nonetheless a type of college.⁶⁸ In 1428 Philip the Good discussed with the towns and the nobles of Holland and Zeeland the institution of a nine-man council chamber that was to be responsible for government in both counties. We have already seen how the definitive restructuring of 1445 was the result of an intense deliberation between the States and the central government.⁶⁹ In 1477 a similar but less clear picture emerged in Namur, when promises were made that only six 'sergeants' would be appointed at the court, who would have to pledge 'de non opprresser, molester ou traveillier les... bourgeois'.⁷⁰

The prince and his subjects agreed that the college structure was ideal for delegated government. As happened so frequently, here too good intentions ran aground when they came up against a reality that wanted the responsibility for appointing council members to rest with the duke. It was common practice that the distribution of gifts was an integral part of the largesse of a prince, and even a powerful duke of Burgundy could not fail to comply with this. The pressure to conform was so great that it gave rise to a special expression: *importunement de requerans*, literally, the importunity of the petitioners. Practice showed that the established number of permanent positions was the minimum and that this number was often exceeded. In the event that there were no seats available, new ones were therefore created. A good illustration of this is the self-regulation that Mary of Burgundy exhibited in 1477 under pressure from the States-General, when she promised to lower the number of officials in the Brabant Council to the original number, 'If in the future due to inattention, importunity [on the part of job seekers] or in some other way she exceeded the agreed number of council members, secretaries or process servers'.⁷¹ Financial necessity was an important driver to maintain the size of the core council, but pressure from the ruler's subjects also played a role. They were far from happy with any growth in the number of council members. This could be seen, for example, in 1462, in the first article of the new ordinance for the Council of Holland, drawn up as a result of the 'information provided by the nobility and the deputies of the good towns', as a result of which Philip the Good reduced the number of council members to the original quota of

⁶⁷ The list of complaints of 1405: *Verzameling van XXIV charters*; the ordinance of 1409: Cauchies, *Recueil* III, 152–8. The exact figures on staffing are missing here, but are indicated in the marginal notes by De Wulf, *Ordonnantien* I, 238.

⁶⁸ Godding, *Conseil*, 71–5, 84–8; Gaillard, *Conseil* I, 31–2.

⁶⁹ Prevenier, Smit, *Bronnen* I, 1, 711–13, no. 1197; Jansma, *Raad*, 200–3.

⁷⁰ Douchamps-Lefèvre, 'Privilege', 247, art. 16.

⁷¹ Brussels AR, CC 2424/I, f. 49r. Compare, for example, the ordinance of 20 February 1415 (Cauchies, *Ordonnances* III, 390–1, no. 236), that of 6 August 1446 (Gachard, 'Analectes' 16th series (1871), 141–7), of 24 May 1463 (Gachard et al., *Inventaire* I, 97–100), of 4 June 1463 (III, 379–81), of 17 September 1463 (Godding, *Verordeningen*, 548–52, no. 323), of 27 September 1463 (Gachard et al., *Inventaire* I, 101–3), of 8 May 1467 (Lille ADN, B 1608, f. 232v–235r).

eight: 'Because in the said Council Chamber since its foundation, as a result of requests, importunity and other reasons far more council members were appointed and maintained than some time ago. This excess of council members causes great confusion and much discomfort.'⁷² In 1477 the representative institutions would again demand that the size of the core council should be limited to the number of members previously agreed.⁷³

A final administrative innovation resulting from the Burgundian assumption of power was the establishment of a permanent seat for the council chambers. In the international context of the law this was nothing new: the chancelleries, audit offices, and law courts of the kings of France and England had already had a permanent location for centuries, but this was not the case in the Netherlands. It is quite likely that the change was mainly related to the judicial role of the council chambers: as sedentary colleges, they were recognizable and accessible, and had the necessary archives at their disposal. One of the old princely palaces was generally chosen as a location. From 1431 the Council of Brabant was located within the ducal court of Coudenberg in Brussels.⁷⁴ In the ordinance of 1386, the town of Lille—probably the former *palais* at that place—became the location of the Council of Flanders. As a result of the political circumstances, the Flemish Council Chamber transferred to Ghent and Ypres (the ducal courts of Posteerne, Gravensteen, and De Zaal), and to the town hall of Courtrai.⁷⁵ The Council of Holland was located in the so-called knight's house at the Binnenhof in The Hague.⁷⁶ In Luxemburg, from 1444, the council was located in the town hall of Luxemburg, specially confiscated for the purpose, and later, in 1477, it moved to a building at the Alten Markt.⁷⁷ In Guelders the council was first located in the civic court of Batenburg in Arnhem, and later in the ducal court.⁷⁸ The situation in the southern provinces was very different from that in the north. A forerunner of the Council of Burgundy resided in a chamber of the ducal palace in Dijon, that was shared with the audit office. After the reorganization of the council in 1422, it was located alternately in Dijon as Council of the Duchy of Burgundy and in Dôle as Council of Franche-Comté.⁷⁹

5.3.3 Appointment Strategies

The new organization also brought with it new problems. A position as council member gave the holder power, status, and a relatively high salary. There was no

⁷² Bos-Rops et al., *Holland bestuur*, 310.

⁷³ Blockmans, 'Privilege Vlaanderen', 136–7, art. 27; Jongkees, 'Groot privilege', 219, art. 5; Van Uytven, 'Blijde Inkomst', 295, art. 5.

⁷⁴ Uyttebrouck, 'Origines', 1141; Godding, *Conseil*, 76.

⁷⁵ In the following decades, the Council of Flanders still regularly changed location, often for political reasons, but this does not detract from the fact that from 1386 it was in essence a sedentary institution.

⁷⁶ Jansma, *Raad*, 132–3; Damen, *Staat*, 41.

⁷⁷ Margue, Pauly, 'Luxemburg', 352.

⁷⁸ Maris, 'Raadkamers', 57.

⁷⁹ Champeaux, *Ordonnances des ducs*, CCXLII–CCXLIII; Bautier, Sornay, and Van Gent, *Sources* I, 1, 159, n. 1.

shortage of candidates, but the number of positions paid for from the public purse was limited. Who should be appointed? In theory the answer to this question was simple: appointments were the prerogative of the duke, and he appointed competent people whom he could expect to represent his interests loyally. However, this was the theory; in practice it was far less simple. The ducal court was the epicentre of a much broader system of patronage that permeated the whole of society. The duke had to keep his powerful courtiers happy and these acted as brokers, mediating between their own network of clients and the lord, in exchange for money, support, and respect.⁸⁰ High nobles, fortune seekers, and the institutions themselves tried to influence the duke to appoint particular candidates. There were parallel and partly overlapping networks at provincial level where the old loyalties from the pre-Burgundian time did not disappear so easily. It is impossible to gain even a general impression of this informal system, but it is clear that it played a major role in the appointment of council members. The Croÿ, Lannoy, and Brimeu families, for instance, exercised considerable power at the Burgundian court. Jean l'Orfèvre owed his meteoric rise probably to a Picardian faction at court, first under patronage of the Croÿ family, later of Guy de Brimeu. L'Orfèvre was born in around 1410 as the son of a receiver from Namur. He studied and became pensionary of Amiens until he was appointed in 1445, as a member of the Great Council. This was later followed by appointments as president of the Council of Luxemburg (1452) and as chancellor of Brabant (1464).⁸¹ Frank of Borselen was an important broker in the Council of Holland; in 1445 he was involved in the appointment of Gillis van Wissenkerke as council member and in 1453 of Gilles' successor Jan Ruychrock. Moreover, the chancellery officials Pieter van Beoostenzweene, Hendrik van Driel, and Adriaan van der Ee were employed by him, and he also maintained feudal relations with the Holland receivers Boudijn van Zwieten and Godschalk Oom, as well as with many others. There was also the powerful Zeeland nobleman Henry of Borselen, lord of Veere, member of the Order of the Golden Fleece, admiral of the Burgundian fleet, obviously with connections at the court of Burgundy, but equally outside the court. Henry was closely involved in the restructuring of the Council of Holland in 1462–3, and the appointments of council members Jan van Halewijn and Hendrik Jansz van Wissenkerke were probably also due to his influence.⁸²

These practices were not confined to court society. The powerful towns and factions in Flanders, Brabant, and Holland wanted to have their representatives on a provincial level too. Ghent, Bruges, Ypres, and Lille had their own men in the government institutions, who promoted the interests of the city and in particular of the local elites and factions. The four main Brabant towns also had their pawns in the council.⁸³ The clearest example of this is the Council of Holland. In 1428, when the oldest core of this council was established, both Hook and Cod followers

⁸⁰ Blockmans points out that corruption and patronage are frequent phenomena, particularly in periods of transition; 'Corruptie', 321 and *passim*.

⁸¹ De Win, 'L'Orfèvre', 499; compare Godding, *Conseil*, 83.

⁸² Damen, *Staat*, 269–309.

⁸³ Dumolyn, 'Conseilliers', 78–80; *Staatsvorming*, 200–6.

had a place. The first had supported Jacqueline of Bavaria in previous years, and the last had rallied first behind John of Bavaria and later behind Philip the Good. A subtle system of temporary substitutions and referrals meant that both groups maintained a recognizable presence in the council until at least 1462.⁸⁴ Informal factors played a role within the council chambers themselves, although in a very different way. The modern sentiment that a candidate has to 'fit within the organization' also applied to the institutions of the late Middle Ages. For the incumbent colleagues, it was important that a candidate should fit within the culture of the institution and was prepared to behave as a good colleague, as Brabant council member Willem van der Tanerijen remarked: 'All judges and council members must follow the same line and love one another as brothers'.⁸⁵ The danger could not be ruled out that, through informal contacts, nepotism, and clientelism, outsiders or those who were not competent would gain a place in the administrative structures. This issue became much more acute when the house of Burgundy assumed power in the Netherlands, with its French roots and a court household that was made up primarily of men from Burgundy and Picardy. They all had friends and family members who were keen to eat at the cost of the treasury. The provincial representative institutions strongly opposed any great influx of foreigners. Their opposition can be traced back to four main issues. First of all, the States hoped that their fellow countrymen would be more committed to the common interest, that they would control the provincial domains and castles more conscientiously, and that they would be less inclined to squander them on foreigners. Secondly, the inhabitants of the provinces spoke the language and were more familiar with the common law, a not unimportant fact for the employees of the highest legal institution. Thirdly, the appointment of foreigners meant erosion of the local power relations, whereby existing factions and parties were deprived of influence. Fourthly, and this could well have been the most important factor, it was only possible to hold legally responsible those persons who lived in the province itself and who had possessions there, for all their actions. After all, they could not claim any exceptional position as an inhabitant of another province.

In the course of the takeover of power by Burgundy, during the consultations with the duke and his officials, the representative institutions strongly emphasized what we would in modern terms refer to as the nationality of the council members. This was nothing new, because in 1362, the States of Hainaut, Holland, and Zeeland expressed in an excellent one liner how the provinces should be governed: 'Haynnau par les Haynuiers, Hollande par les Hollandois et Zellande par les Zellandois'.⁸⁶ This was a theme that would be reiterated time and again in the multinational Burgundian union. In 1421 it was agreed that the council of Namur

⁸⁴ Damen, *Staat*, 160–84.

⁸⁵ Van der Tanerijen, *Boec* III, 198. The oath of the masters of the Audit chamber of Lille has a similar clause: Lille ADN, B 31, f. 1r; B 10, f. 5r; compare Jean, *Chambre*, 184–5.

⁸⁶ Prevenier, Smit, *Bronnen* I, 1, 208–11, no. 289; since as early as 1356, the Brabant Joyous Entry had stated that only inhabitants of the duchy could be members of the ducal council: Uyttebrouck, *Gouvernement* I, 315–19.

would be composed of individuals from Namur or Flanders.⁸⁷ According to the terms of the Treaty of Delft, Philip the Good and Jacqueline each had to recruit three of the nine council members in Holland or Zeeland; in addition, Philip could appoint three members as he saw fit.⁸⁸ The Brabant Joyous Entry of 1430 determined that at least six of the eight Brabant council members should be from this duchy; the remaining two could be chosen by Philip himself, as long as they had mastered the Dutch language. The Flemish Members were less reticent. In the early fifteenth century, the demand was repeatedly voiced that the members of the Council of Flanders must be familiar with the 'condition and character of the land', which did not necessarily mean that they had to be Flemish.⁸⁹ During the crisis of 1477, however, the reins were tightened. The privileges of Flanders, Brabant, Holland-Zeeland, and Namur included the requirement that in future only indigenous council members could be appointed (Table 5.7).

So much for the standards that were set, but how did things actually turn out in practice? The composition of the council chambers exhibited large differences from province to province. In Brabant, where the composition of the council was determined under the constitution, foreigners were considered only on rare occasions, while in the Council of Holland, a relatively high number of foreigners was appointed, in most cases with a Flemish background. However, the number of foreigners in the

Table 5.7. Demands set out in 1477 with regard to the origin of the members of Brabant, Flanders, Holland, and Namur⁹⁰

Province	Original wording	Translation
Brabant	Wettige, notable, weerdige personen, geboeren ende geguedt in onsen landen van Brabant oft van Overmaze	Legitimate, notable, worthy persons, born and possessed in our countries of Brabant or Overmaas
Flanders	Gheboeren van [den] lande van Vlaenderen ende de tale verstaende ende connende spreken	Born in the country of Flanders and understanding and able to speak the language
Holland	Die zes van Hollant ende twee van Zeelant gheboiren	Six born in Holland and two born in Zeeland
Namur	Nez natifs ou baptisez es fons des villes ou villages de nostre dit pays et conté de Namur	Born as natives or baptized in the towns or villages of our country and county of Namur

⁸⁷ Gilliodts-van Severen, *Inventaire* IV, 371–2. See also Douchamps, 'Vente', 153.

⁸⁸ Bos-Rops et al., *Holland bestuurd*, 234–5, art. 4; compare Prevenier, Smit, *Bronnen* I, 1, 711–13, nr. 1197, art. 4. The situation in the Council of Holland was more complex, as this council had authority over both Holland and Zeeland. During the negotiations about the aid of 1462 the Zeeland representatives demanded that the council should have at least a few members from Zeeland; Fruin, *Keuren*, 143.

⁸⁹ In 1405 and 1417: *Verzameling van XXIV charters*, no. VII, 2; no. VIII, 1, 3; compare Dumolyn, *Staatsvorming*, 146.

⁹⁰ Blockmans, 'Privilege voor Vlaenderen', 136–7, art. 27; compare for the demands of the Flemish members; Prevenier, *Leden*, 208–9; Blockmans, *Volksvertegenwoordiging*, 327–8; Van Uytven, 'Blijde Inkomst', 295, art. 6; Jongkees, 'Groot privilege', 239, art. 4; Douchamps-Lefèvre, 'Privilege', 247, art. 9.

Table 5.8. Geographical origin of the officials of the Councils of Brabant, Flanders, and Holland-Zeeland⁹¹

		Total	Native	Foreign	Unknown
<i>Brabant</i> (1430–77)	Chancellors	5	4	1	0
	Council members	28	26	2	0
<i>Flanders</i> (1419–77)	Presidents	5	4	1	0
	Council members	50	35	8	7
	Council members/commissioners	21	13	5	3
	Clerks/secretaries	5	5	0	0
	Ministry of Public Affairs	10	8	0	2
	Auditors/clerks	11	4	3	4
<i>Holland-Zeeland</i> (1425–82)	Governors/stadtholders	8	2	6	0
	Council members	68	55	12	1
	Clerks	6	3	3	0
	Secretaries	25	13	10	2
	Ministry of Public Affairs	13	8	5	0
Total		255	180	56	19

core councils remained small, at around 16 per cent (Table 5.8). There was certainly no question of a professional integration of the former principalities.

5.3.4 Officers and Scholars

The Burgundian assumption of power also meant the definitive breakthrough of the professional council members, people who did not derive their status from the traditional feudal customs, but from their expertise in a particular field. They were appointed on a temporary basis and in return for their services, they often received remuneration in money or in kind. The first mentions of these non-feudal council members date from long before the fifteenth century. In many cases these were people with an ecclesiastical background, as a personal chaplain of the prince or princess, or as the holder of a benefice from the duke or count.⁹² The oldest example from Flanders is Robert d'Aire, son of a blacksmith from Chartres who started his career in 1157 as provost in the village of Aire-sur-la-Lys in Artois and eventually became chancellor to the count. Chronicler Gilbert de Mons (+1225) grew from a lowly position as court chaplain to the most powerful man in the county of Hainaut. A century later the Guelders-Brabant chancellor Johan Moliart started his career as pastor at the small village of Tuil.⁹³ The Holland secretary and

⁹¹ Based on: De Ridder-Symoens, 'Milieu', 261–3, 280–1; Dumolyn, *Staatsvorming*, 144, table IV; Damen, *Staat*, 184–7.

⁹² Stein, 'State's officers', 181–9; Watts, *Making of politics*, 241–2; Burgers, 'Grafelijke raad', 69; Janssen, 'Landesherrliche Verwaltung', 107–12; De Hemptinne and Vandermaesen, 'Ambtenaren', *passim*; Vandermaesen, 'Curia', 44–7; Cauchies, 'Professionalisation', *passim*.

⁹³ Van Werveke, 'Thomas Becker', 7–10; Pirenne, 'Robert d'Aire'; Bormans, 'Gilbert de Mons'; Avonds, *Brabant... Land*, 150–67. In the thirteenth and fourteenth centuries, comparable developments took place in Burgundy, Franche-Comté, Holland, Guelders, and Luxemburg; Croenen, 'Governing Brabant', *passim*; Vandermaesen, 'Curia', 44–7; *Besluitvorming*, 224–5; Génicot, 'Premier

writer Dirc Potter (+1428) is an interesting example of this new group of officials. Following in the footsteps of his father, in 1398 he entered the service of Albert of Bavaria as clerk to the count. In spite of the many changes of power, he remained in his post until his death in 1428, successively serving Albert, William VI, John IV, Jacqueline of Bavaria, John of Bavaria, and Philip the Good. His loyalty was richly rewarded with many gifts and finally with a noble title that he carried with pride. In his *Blome der doechden*, he airs his feelings regarding nobility: the true 'nobility' stems not from descent, but from virtue.⁹⁴

The position of the professional council members became stronger because they were educated at one of the universities, for example at Bologna. In Burgundy, for instance, one of the officials was a *Maistre*, Jean de Blanot, the son of a simple servant, who had studied at the University of Bologna. He was succeeded in 1282–3 as keeper of the seal by *Maistre* Jean Aubriot. A similar development took place in the north: in Brabant we find in 1245 an incidental mention of *Maistre* William van Geldenaken. In that same year a certain *Magister* Daniel was mentioned in Holland. In the eastern principalities developments proceeded much more slowly. It was not until the fourteenth century that the first learned lawyers made their appearance in the count's council in Franche-Comté, and in Guelders the highly educated held positions in the council only from 1388 onwards.⁹⁵

The basis was in place, but shortly before the rise of Burgundy, university-educated council members generally did not hold fixed positions in the councils of the princes of the Netherlands. The Brabant council is a case in point. Here, in the period from 1355 to 1430, 170 of the 285 council members were from the nobility (60 per cent), compared with 65 or 66 ecclesiastics (22.5 per cent) and 43–5 (15 per cent) townspeople and 35 persons (12 per cent) who had had a university education. The university-educated members were only rarely among the more active council members. The Holland-Zeeland council only rarely included academics. According to the information about the period 1405–25, there was at that time just one 'maistre', Hendrik Scatter, who was present with any regularity. Shortly before the assumption of power by Burgundy, in 1423–4, two learned lawyers were among the twelve-man Council of Hainaut. In Luxemburg, too, before the rise of Burgundy legal specialists had few opportunities for council membership; there the feudal *Freunde* of the counts and dukes held the law in their own hands. Flanders was the exception. Among the thirty-eight persons who were part of the Flemish Audience in the years from 1370 to 1378,

siècle', 215–16; De Hemptinne, 'Chancellerie', 113; Cauchies, 'Conseil', 123; Bovesse, 'Personnel', *passim*; Richard, *Ducs*, 390–1, 431–6; Allemand-Gay, *Pouvoir*, 341–6; Smit, *Rekeningen* III, 220–31; Brokken, *Ontstaan*, 133–7; Burgers, 'Grafelijke raad', 70–1; Noordzij, *Gelre*, 178–83; Reichert, *Landesherrschaft*, 663–93.

⁹⁴ Van Oostrom, *Wereld*, 480–1; compare: Van Oostrom, 'Literatuur', *passim*; Corbellini, *Italiaanse deugden*, 53–80.

⁹⁵ Gilissen, 'Légistes', 135–6; Richard, *Ducs*, 431–6; Godding, *Conseil*, 24; Smit, *Rekeningen* III, 220–31; Burgers, 'Grafelijke raad', *passim*; Noordzij, *Gelre*, 168–9; Reichert, *Landesherrschaft*, 663–93; Nijsten, *Hof*, 40–2; Balon, 'Légiste'.

there were eight learned lawyers and one specialist in common law, who regularly had a place in the council.⁹⁶

During the period when Burgundian power was expanding, the climate changed definitively when two important initiatives were taken that involved Philip the Good at least indirectly: the foundation of the universities of Dôle and Leuven. These institutions were to develop into centres par excellence for training council members in the southern and northern provinces of the Burgundian union respectively. On 26 May 1422, the duke wrote a begging letter to the abbot of the monastery of St Paul at Besançon. In this letter he indicated that there was a growing shortage of specialists in canonical and civil law. Originally the students from Franche-Comté and Burgundy went to Orleans, Bologna, Toulouse, Montpellier, and other places, but because the country had for the past twelve years been plagued by war and unrest (*guerres et divisions*), parents no longer dared to send their sons there. Even worse, they had them trained as tradesmen. The result, the duke went on, was a growing shortage of officers trained in the law in his southern lands, which posed a threat for public affairs. The foundation of a provincial university was desirable, and it would be good if the abbot would assist with this, including financially. The action was successful. On 21 November 1422, Pope Nicholas V issued a decree founding the university of Dôle. It seems as if the duke himself took the initiative to establish the university, but further investigation shows that his contribution was little more than verbal. The main costs were borne by the provincial States of Franche-Comté, that made a sum of almost 10,000 pounds available and by the town of Dôle, that guaranteed an additional 500 francs a year to cover the running costs. In 1426 the duke also committed an annual sum of 600 francs.⁹⁷

A short time later, on 9 December 1425, the University of Leuven was founded in what was at the time the independent duchy of Brabant. In the existing literature, especially the role played by Duke John IV, the town of Leuven and the States of Brabant have been emphasized, but the initiative went further than the interests of Brabant. This is clear from the wording of the charter of foundation that specifically mentions the inhabitants of the Netherlands as potential students, thereby focusing on the dynastic possessions of the house of Burgundy. Although Philip the Good was at that time not duke of Brabant, he was still the most powerful prince in the Netherlands and head of the house of Burgundy, and there is little doubt that he was directly or indirectly involved in the foundation of the university. This is evident from the letters of recommendation that he wrote to the pope in 1426–7 to make it possible to expand the Leuven university with a theology faculty. Once again, the support from the duke was mainly moral. The required funding for the Leuven university was primarily provided by the municipal authorities.⁹⁸ The

⁹⁶ Uyttebrouck, *Gouvernement*, 302–5, 306–9; Bos-Rops, *Graven*, 317–18; for Hainaut, compare Flammang, 'Partis', 561–2; Cauchies, 'Professionalisation', 28; Reichert, *Landesherrschaft*, 663–86; Buntinx, *Audiëntie*, 91–6, see also Table I.

⁹⁷ Theurot, 'Université', 301.

⁹⁸ Nelissen et al., *Stichtingsbul*, 20, 41–4; Van Buyten, 'Oorsprong'; Van Eijl, 'Foundation', 29, n.1; see also the account of Petrus Impens, 'Chronica', 367–70; Van Eijl, 'Stichting', 24–5. For the political conditions in Brabant, compare Stein, *Politiek*, 167–206.

foundation of the university, the involvement of the duke, and the representative institutions were the writing on the wall: the university-trained council members were the future.

In the first instance, the rising power of the house of Burgundy made little difference to the increase in the number of academically trained council members. The commission that in 1385 carried out an investigation of the financial situation in Flanders and Artois indicated that it was necessary to appoint a number of learned men in order to put affairs in order, but that resulted rather in a decrease than an increase in the number of university-trained council members.⁹⁹ An increase of the number of educated council members in Flanders took place from the 1420s onwards, in Brabant and Holland-Zeeland from the 1450s (Figure 5.4). There are no concrete figures available for Burgundy and Franche-Comté, but it is clear that here too, the number of academics was increasing by the middle of the fifteenth century.¹⁰⁰

By this time the tide could no longer be turned. In the first half of the sixteenth century, almost all council members were university-trained legal specialists, at any rate in the core provinces of the Netherlands.¹⁰¹ It is not surprising then that from

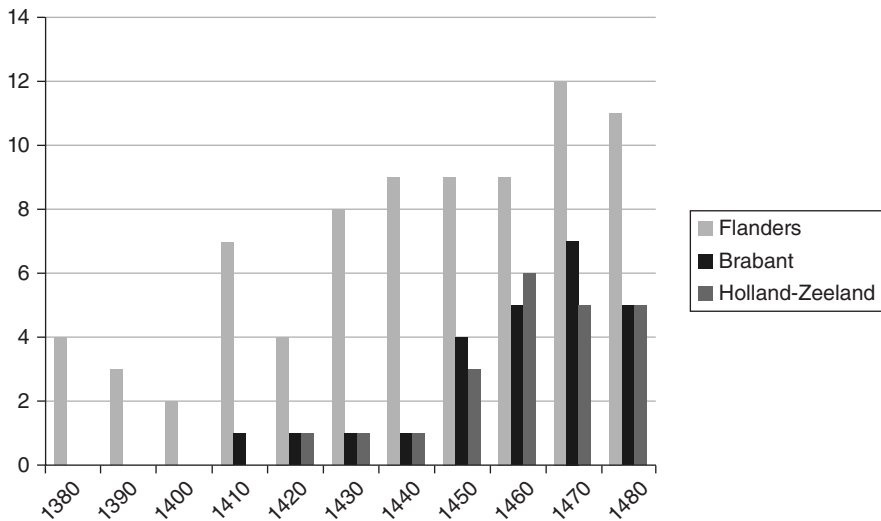


Figure 5.4. Number of university-trained council members in the council chambers of Flanders, Brabant, and Holland-Zeeland, 1380–1480¹⁰²

⁹⁹ Van Nieuwenhuysen, 'Documents', 207–8, art. 37, 38, 42.

¹⁰⁰ Richard, 'Organes', 19–20; Rapp, 'Universités', *passim*; Theurot, 'Parlement', 194–5.

¹⁰¹ De Ridder-Symoens, 'Milieu', 284–5; Van Peteghem, *Raad*, 425; Ter Braake, *Met recht*, 136–43. In Namur the influence of the legal specialists was much less. The ordinance of 1491 only stipulates that the president has to be a lawyer: Cauchies, 'Professionalisation', 29–30.

¹⁰² Figure 5.4 was partly based on material provided by Jan Dumolyn and Mario Damen, supplemented with: Buntinx, *Audiëntie*, 106–29; Dumolyn, *Staatsvorming*, 227; Damen, 'Education'. See also: Bos-Rops, *Graven*; Cauchies, 'Professionalisation', 20–31; Godding, De Smedt, 'Evolutie', 173–4.

the 1440s, many academics were appointed, including in the newly acquired provinces. When Luxemburg came under Burgundian influence in 1444, the original *Rittergericht* was maintained there, but two university-trained members, *Maistres* Jean l'Orfèvre and Henry of Remerschen, were added. In Guelders, after the conquest in 1473, the administration of the duchy was immediately made to conform with the norms of Burgundy. This resulted in the institution of the Council of Guelders in Arnhem, comprising several noblemen and ecclesiastics and four university-trained lawyers. Qualified lawyers played a major role in the regional chambers of Nijmegen and Zutphen as well.¹⁰³

The increase in the number of university-trained council members, in many instances townspeople, and the disappearance of the princely courts, the natural habitat of the aristocracy, signified a decrease in the influence of the provincial feudal aristocracy. The high nobleman Jean de Lannoy from Hainaut, a courtier and member of the privy council of the dukes of Burgundy, saw the development when he wrote a letter in 1465 to his only son Louis. He reports with regret and jealousy that he was not sufficiently competent to exercise influence in the administration, while educated legal specialists were much more capable. One may question the literal reliability of this lamentation—Lannoy had been chairman of the Council of Holland for sixteen years—but not the vision that this portrays.¹⁰⁴ He was aware that a time had come when educated men rather than noblemen would have the future in provincial government. This was a development that has started already in Flanders with the introduction of the Audience, from the 1330s. The holders of the traditional court offices, the chancellor, the steward, and the burgraves, were no longer part of the Audience. They were not qualified to properly understand the new judicial procedures and to manage the enormous increase in the number of cases, so they were all replaced by members of the lower aristocracy, often parvenus, sometimes by descendants of the urban upper class.¹⁰⁵ For most other provinces, the rise of Burgundy represented a breaking point. For example, in a report of the council members of the comital court of Holland and Zeeland dating from 1404, five members from Holland and five from Zeeland were mentioned. For Holland, the members included the lords of Egmond, Wassenaar, Brederode, Van der Lek, and Cronenburg; the contingent from Zeeland comprised four nobles, the lords of Borselen, Reimerswaal, and two descendants of the Heenvliet family, as well as the abbot of Middelburg, who also belonged to the Zeeland nobility. Later a further five nobles and one townspeople were added to the ten mentioned. These were almost without exception high noblemen, bannerets holding high justice.¹⁰⁶ When the court of Holland stabilized in the mid-fifteenth century, it was made up of twelve members: six from Holland, two from Zeeland, and four from Flanders. Three of the members, Lodewijk of Montfoort, William of Egmond, and the stadtholder

¹⁰³ Van Werveke, 'Notice', 257–8; Maris, 'Raadkamers', 58–60, 82–4, 75–6.

¹⁰⁴ Lannoy, Dansaert, *Jean de Lannoy*, 120; compare: Hexter, 'Education', 63; Damen, *Staat*, 146.

¹⁰⁵ Buntinx, *Audiëntie*, 91–3.

¹⁰⁶ Van Riemsdijk, *Tresorie*, 209–10; Jansma, *Raad*, 42; for a typology of the nobility of Holland in three groups, high, middle, and low, see Janse, *Ridderschap*, 102–4. Compare De Win, 'Adel'.

Jean de Lannoy can be ranked among the high nobility. There were also four university-trained lawyers in the council; three of them were from Flanders. Thirty years later, in 1480, there were nine members in the council. Only the Hainaut stadtholder Josse de Lalaing belonged to the high nobility. Six members are mentioned as being university educated. Proud bannerets from Holland and Zeeland, the Wassenaars, Egmonds, Brederodes, Borselens, and Veeres, who used to have such a dominant position in the count's council, were nowhere to be found in the Court of Holland. Similar trends were evident in Burgundy and Brabant.¹⁰⁷

The decline in the influence of the nobility was more than compensated by two other developments. On the one hand, there was the rise of a small group of very powerful noblemen, people who had excellent connections at court and who used their position to build on a profile of supraprovincial power and status; they were able to acquire fiefs and official positions in several principalities, the Chalons, for example, the Croÿs, and the Lannoys. On the other side of the aristocratic spectrum, the lower nobility merged with the new group of academically trained council members. Many of those who were highly educated had ambitions of a noble title. They were given a patent of nobility by the duke, or married the daughter of a nobleman. The previously mentioned Dirc Potter is a typical example, as is the ducal secretary Ambrosius de Dynter, who was raised to the status of burgrave of Dormaal. At the other extreme, some nobles decided to make the best of the situation and to take up an academic study. Among these were three sons of a senior nobleman from Holland, Henry of Wassenaar, but they were very much the exception among the regional nobility.¹⁰⁸

5.4 THE INTEGRATION OF THE ADMINISTRATION

The unification of the provinces changed a great deal, but only to a limited extent did it bring about administrative unity: the Burgundian union was typically a composite monarchy, of which the parts were more important than the whole. It may well be that the central administration issued decrees for all—or several—provinces, but the number of ordinances that related to provincial or local matters was much greater.¹⁰⁹ Many administrative matters were dealt with not by the duke himself and his privy council, but by the provincial council chambers, although obviously under the responsibility of the central authorities.

A group of envoys represented the artery that distributed the blood of the ducal head to the limbs, the council chambers in the provinces; they enabled the forty-five or so officials from the central administration to disseminate their decisions. It is

¹⁰⁷ Damen, *Staat*, 514 and *passim*; for the composition of the council in 1480: The Hague NA, Rekrek 175; Ter Braake, *Met recht*, 145; Caron, *Noblesse*, 142–3, 160; De Win, 'Positie', 103–4; Buylaert, *Eeuwen*, 210–13.

¹⁰⁸ Dumolyn, Van Tricht, 'Adel'; Janse, 'Education'; Damen, *Staat*, 212–13; De Win, 'Adel', 402–3.

¹⁰⁹ Philippe Godding (*Législation*, 49) mentioned for Brabant during the reign of Philip the Good thirty-one ordinances that had a supraprovincial scope, as opposed to eighty-one that related to the whole duchy and eighty-one that were locally oriented.

tempting to assume that the court was a hive of envoys constantly coming and going, in their efforts to spread the wishes and demands of the duke and the privy council via charters, orders, requests, and letters in all directions, and that they were frequent visitors to the stadtholders and council chambers. However, this image is refuted by the research carried out by Harm von Seggern on the travels of the envoys in the county of Holland in 1468–9 and 1473–4. In these four years, barely one envoy per day was despatched by the central government. By far most of them travelled to Flanders and Brabant, while the duke and the privy council often remained there; Hainaut, Holland, Zeeland, and (in 1473) Guelders made up a middle category; as an exception, one of the envoys left for Luxemburg, Namur, and the southern provinces (Figure 5.5). More detailed data relating to Holland indicate that the duke and privy council were mainly interested in the activities of those who received the revenues of the aids and the domains in Holland, and much less in the administration: the stadtholder and the Council of Holland received only eighteen letters in a period of twenty-four months.¹¹⁰

Nor did the stadtholders and council chambers themselves sit around waiting for inspiration from the privy council. In the financial year of 1434–5 the bailiff and Council of Hainaut despatched 118 envoys, of whom fourteen (12 per cent) were sent to the central government; this equates to approximately one envoy per month. In the calendar years of 1468, 1469, 1473, and 1474, 472 envoys were travelling on behalf of the stadtholder and the Council of Holland, fifty-eight (12 per cent) had to deliver a letter to the duke, the court, or one of the central government institutions. Four hundred and fourteen envoys travelled within Holland to the subjects. In many cases they delivered what the Germans refer to as

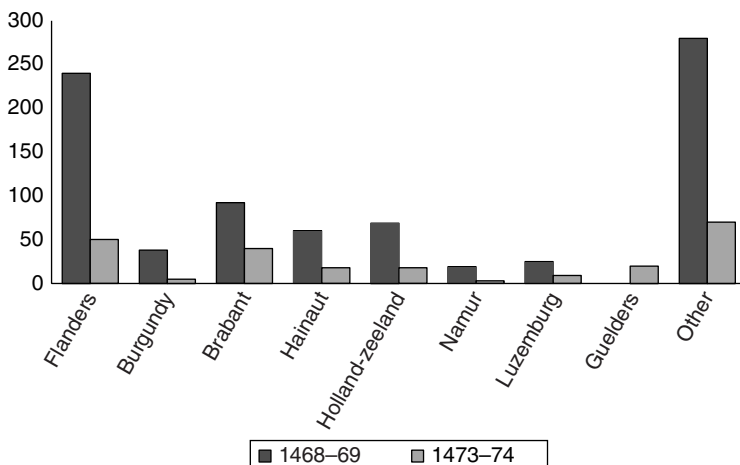


Figure 5.5. Travels of the envoys between the central administration and the provinces¹¹¹

¹¹⁰ Von Seggern, *Herrschermedien*, 127–56.

¹¹¹ *Ibid.*, 154–55.

Reihenbriefe, large numbers of letters addressed to several recipients, for example, the invitation to an assembly of the States.¹¹²

The slow development of the States-General is a second indication of the inadequate administrative integration of the provinces. In general it is assumed that the first assembly of the States-General took place on 9 January 1464, in Bruges, where Philip the Good convened the three orders of Brabant, Flanders, Artois, Hainaut, Holland, Zeeland, Walloon Flanders, Namur, Mechelen, and Boulogne. 'This meeting bears all the hallmarks of what later came to typify the States General', remarked Van der Kieft.¹¹³ The hallmarks to which he refers are the participants came from the provinces that were ruled by the duke of Burgundy; the representatives did not assemble on their own initiative, but on the orders of their lord; the matters that were discussed affected all the provinces of the Netherlands; all the social orders were invited, and not only the towns. Van der Kieft's assumption is strongly influenced by institutional considerations and was not undisputed. Following Joseph Cuvelier, Wim Blockmans points out that the Members of Flanders and the States of Hainaut, Artois, and Picardy were already engaged in joint discussions in 1427 regarding recognizing Philip the Good as the guardian to Jacqueline of Bavaria and as the governor of Hainaut.¹¹⁴ Seen in this light, the meetings of the States-General are rooted in a much older tradition, whereby the different parts of personal unions convened to discuss issues that affected them all.¹¹⁵ If the unification of the Netherlands is seen as a breakpoint, as it is in this book, it is logical to take the unification of the most important provinces—namely Flanders, Brabant, Hainaut, Holland, and Zeeland—as the starting point. This emphasizes the importance of the meeting held on 3 or 4 November 1431, when the representatives of the towns of Brabant, Flanders, and Holland-Zeeland assembled in Brussels to discuss the cloth trade.¹¹⁶

In the period between 1431 and the end of 1476, there were thirty-five meetings of the States-General, unevenly spread over the different decades (Figure 5.6). Until 1460 the assemblies were largely devoted to matters of interest to the town elites, in particular, the value of the common currency and to a lesser extent, trade with England. Monetary issues continued to be important in the 1460s and in the early 1470s, but at this time the more general problem of the succession by Charles the Bold was on the agenda. In the 1470s the discussions were mainly about the interests of the duke: the amount and the distribution of the common aid.¹¹⁷

The irregular rhythm of these assemblies can scarcely qualify as an indication of administrative integration, since the representatives were still responsible to the provincial representative institutions or even to the individual social orders and towns. What is much more important is that the thirty-five or so assemblies of the

¹¹² Cauchies, 'Messageries', 122–3; Von Seggern, *Herrschermedien*, 127–33.

¹¹³ Van der Kieft, 'Staten-Generaal', 1; compare Wellens, *États Généraux*, 102–7, 421–2; Koenigsberger, *Monarchies*, 26–41.

¹¹⁴ Cuvelier, *Actes*, 1–7; Blockmans, *Volksvertegenwoordiging*, 183–5.

¹¹⁵ For the union of Hainaut, Holland, and Zeeland, see, for example, Devillers, *Inventaire*, xxvi (1299); Prevenier, Smit, *Bronnen* 1, 2, 28–9, no. 54 (1331), 33–5, no. 61 (1340).

¹¹⁶ Cuvelier, *Actes*, 8–11.

¹¹⁷ Cuvelier, *Actes*, *passim*; Koenigsberger, *Monarchies*, 26.

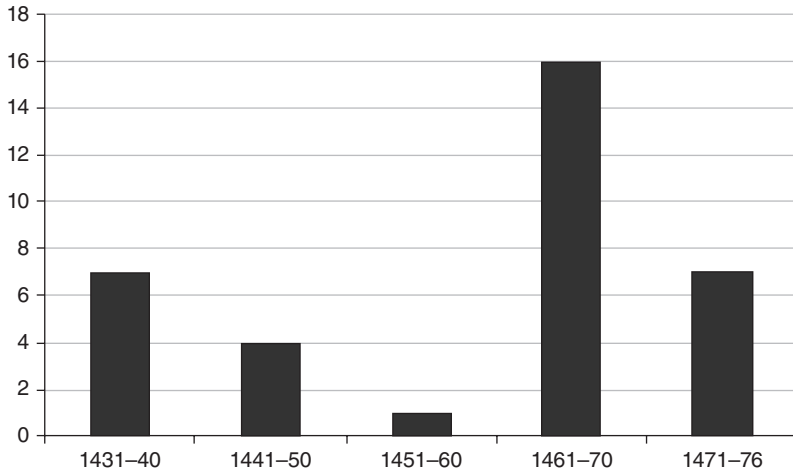


Figure 5.6. Number of assemblies of the States-General, 1431-76

States-General are a drop in the ocean in comparison with the number of meetings of the provincial representative institutions. Particularly in the core provinces of Flanders, Holland, and Zeeland, meetings were held almost continuously; no details for Brabant are available (Table 5.9).

The assumption of power by Burgundy had only limited consequences for the functioning of the provincial representative institutions. The initiative for the meetings was now in many cases taken by the stadtholders, the presidents, and the provincial councils, who not only embodied the authority of the prince, but moreover also had the necessary secretarial staff and a number of envoys at their disposal to write to all the interested parties.¹¹⁸ In a much smaller number of cases the

Table 5.9. Number of assemblies of the provincial representative institutions (ca. 1430-ca. 1476)¹¹⁹

Province	Period	Number
Flanders	1436-76	1184
Artois	1430-76	94
Hainaut	1428-67	59
Holland	1433-76	1531
Zeeland	1433-76	514

¹¹⁸ In Flanders the Members met relatively frequently on their own initiative; Blockmans, *Volksvertegenwoordiging*, 227. For Holland, compare Smit, *Bronnen* II, 1, LXII-CXXVII; for Hainaut, see Eeckenrode, *États*, 55-6.

¹¹⁹ Blockmans, *Volksvertegenwoordiging*, 600-1; Hirschauer, *États* II, 22-40; Van Eeckenrode, *États*, 60-92; Smit, *Bronnen* II, 1, LXII-CXXVII; *Bronnen* III; Smit et al., *Bronnen Zeeland* I, CXXIV-CLV.

Table 5.10. Attendance of the duke and members of the councils at the assemblies of the Members of Flanders and the States of Holland and Zeeland (percentages)¹²⁰

Province	Period	Prince	Council
Flanders	1436–52	20	41
	1453–64	19	39
	1465–76	18	54
Holland	1433–52	0.1	28
	1453–64	0	6
	1465–76	0	9
Zeeland	1433–52	0	25
	1453–64	0	4
	1465–76	0	4

stadtholder or the council members also attended the meetings, as the available numbers for Flanders, Holland, and Zeeland show (Table 5.10). It is remarkable that Philip the Good and Charles the Bold were regularly present at the meetings of the Members or the States of Flanders, and almost never at those of Holland and Zeeland. This again illustrates the *herzogsnahe* character of Flanders.

5.5 CONCLUSION

The Burgundian assumption of power meant the end of six or seven princely courts. These were not only the households of the princes; much more than this, they were centres of power and hubs in a complex web of societal structures, built around the cooperation between the vassals, the bannerets, and their feudal lord, the count or duke. The new Burgundian court did not differ substantially in this respect from its predecessors. Here too the duke was surrounded by a privy council consisting of his most powerful noblemen and vassals, but it was not the sum of seven parts; it was governed by other structures and other persons.

In the world of the old principalities, the prince was replaced by a stadtholder, in some instances by a president, who in exchange for a generous salary promoted the interests of the duke of Burgundy—or who was at least expected to do so. In the place of the princely councils, with their amorphous character, there were strictly regulated council chambers, no longer largely made up of nobles, but primarily of university-trained lawyers and professional auditors. They too were paid for their services. It cannot be disputed that the rise of the house of Burgundy meant a loss of power, especially for the feudal nobles. A few succeeded in penetrating through to the Burgundian court, the *non plus ultra* of power; a few managed to keep their

¹²⁰ Blockmans, *Volksvertegenwoordiging*, 218; Smit, *Bronnen* II, 1, LXII–CXXVI; III, XXXVIII–LXI; Smit et al., *Bronnen Zeeland* I, CXXV–CXLV.

position in the provincial courts; but most were unsuccessful in finding a position in the political world.

The union was not in fact a unit but an association, the 'Burgundian state' was the dream, the *composite monarchy* was the reality. The disappearance of the six or seven princely courts did not mean the end of the principalities that the old dynasties had built with many ups and downs over the centuries. These continued to exist, not only as territories, but in essence, also as administrative units. The grip of the central government on regional administration was limited and it is even questionable whether the duke and his staff were very interested in the events in the outlying provinces: the contacts between the centre and the periphery were limited. In any event, how could an administration, consisting of a variable group of nobles, supported by some forty-five officials, rule over an extensive territory inhabited by 3 million people, other than with the active support of the provincial political elite? The mutual political contacts between the principalities were also limited. The States-General assembled only seldom, and all kinds of provincial regulations and stipulations blocked the exchange of staff.

6

The Jurisdiction

6.1 INTRODUCTION

It is June 1445; the Council of Holland has recently been reformed in line with the Burgundian model. Under the chairmanship of Goeswijn de Wilde, whom we came across earlier, the first major case was brought before the court: the procurator-general versus the Leiden bailiff Floris van Boshuysen. It promised to be quite a spectacle! What was it all about? A chest had been found in the Commandry of the Pieterskerk in Leiden. It contained the inheritance of Dirk Jansz, who had died childless. The receiver had sealed the chest because, in line with tradition, the inheritance would go to the count, *in casu*, Philip the Good. However, bailiff Floris took the chest home with him, and somehow or other the seal fell off. Floris had no idea how it happened; the seal was completely undamaged; he had not interfered with it, and moreover Dirk Jansz owed him money for all kinds of fines. The procurator was not convinced, and demanded a fine of 500 riders. According to Floris, the case was inadmissible: 'Procurator, I have nothing to do with you, I do not have to answer to you, even though it may be Flemish law'. The president of the Council of Holland corrected him. Times had changed and the bailiff and all other officials of the prince were answerable to the council. Floris repeated that as bailiff he was the highest authority in Leiden (literally: 'that within Leiden there was no lord other than himself as bailiff'). But he did not escape so easily. He was no longer protected by his patron, the recently displaced stadtholder Guillaume de Lalaing. He was dismissed as bailiff, given a hefty fine, and ordered to make a pilgrimage to Cologne.¹ Even so, this did not restore the peace. A few days after the sentence, a gang of men led by the Leiden priest Clais Renger appeared in the council chamber. The reverend was wearing armour and was armed with a club, and the other men were also carrying weapons. They shouted all kinds of unseemly things about the Council of Holland and its president. Eventually, however, they had to succumb to the newly appointed bailiff and his servants. Their actions represented a revolt against the prince that normally warranted the death penalty. However the council showed goodwill and only imposed a fine.²

In judging the bailiff and the troublemakers, the Council of Holland acted as the personification of the count's jurisdiction. The bailiff was an official appointed by the prince, who previously could only be judged by the count and his council;

¹ Brand, *Over macht*, 87–8; Lombarts, *Memorialen* XI, 19–20, no. 75; Smidt, 'Editie', 7.

² Lombarts, *Memorialen* XI, 44–5, nr. 145.

any revolt, such as that carried out by Clais Renger, was equally subject to the judgement of the count. For the majority of the people of Leiden it was undoubtedly a relief that Van Boshuysen and his cronies had finally been dealt with; for years they had lined their pockets at the cost of the community. And it was not only in Leiden that such activities were going on: Amsterdam and Haarlem, and in all probability many other towns in Holland, were ruled completely arbitrarily by local factions.³ The reform of the council chamber in line with the Burgundian model was the direct consequence of the efforts of the towns and nobles of Holland, who used the award of an aid as a lever to motivate Philip the Good to take action.⁴

We saw in Chapter 5 how the takeover of power by Burgundy went hand in hand in almost all principalities with the establishment of council chambers that assumed an important role in the administration. These same councils, manned by the same people, also acted as the highest courts of law. It was increasingly the case that council members were academically trained lawyers. In this chapter we will see that particularly during the later years of Philip the Good and during the reign of Charles the Bold, a third layer was added to the judicial pyramid. This came about because the duke and his privy council—and in their absence the Parliament of Mechelen—acted as sovereign court of appeal (Figure 6.1).

In the recent literature, the institutionalization of jurisdiction is primarily seen in the light of the attempts by the ruling dynasty to extend its power, to establish sovereign authority at the expense of the interests of the subjects.⁵ But the question is whether the development of the legal institutions was incompatible with their interests and whether the government was driven only by a desire for centralization. To answer these questions we need to examine the development of jurisdiction at three levels: the local level of the bailiffs, the provincial level of the council chambers, and the central level of the Great Council. The death of Charles the Bold in 1477 on the battlefield at Nancy marks the chronological closure of this chapter. Then, the crucial question, posed earlier at the time of the takeover of power by Burgundy, was raised again: how should the administration and jurisdiction be structured? From 26 January to 6 April 1477, representatives from the different provinces met in varying combinations in the Augustine convent in Ghent to discuss these issues. Ultimately, delegations from all the core provinces took part: Brabant, Flanders, Artois, Hainaut, Holland, Zeeland, Namur, and Mechelen.⁶ Faced with a direct attack by the French King and with growing social unrest in the main towns, Charles' daughter Mary had little option but to agree to all the demands made by the representative institutions and to reorganize the structure of the legal system.

³ Oversteegen, 'Hoeken', *passim*.

⁴ Oversteegen, 'Hoeken'; Stein, 'Staten'; Le Bailly, *Recht*, 56.

⁵ See for example: Oosterbosch, 'Vroege procedureregelingen', 116–17; De Schepper, Cauchies, 'Justice'; Blockmans, *Metropolen*, 472–80.

⁶ Cuvelier, *Actes*, 270–331; Blockmans, 'Constitutionele betekenis'; see also the contributions in the volume Blockmans, ed., *1477, het algemene en de gewestelijke privilegiën*, supplemented with Wymans, 'Exemplaire', 90–103 and Smit, *Bronnen Zeeland* I, 329–34, no. 976–8.

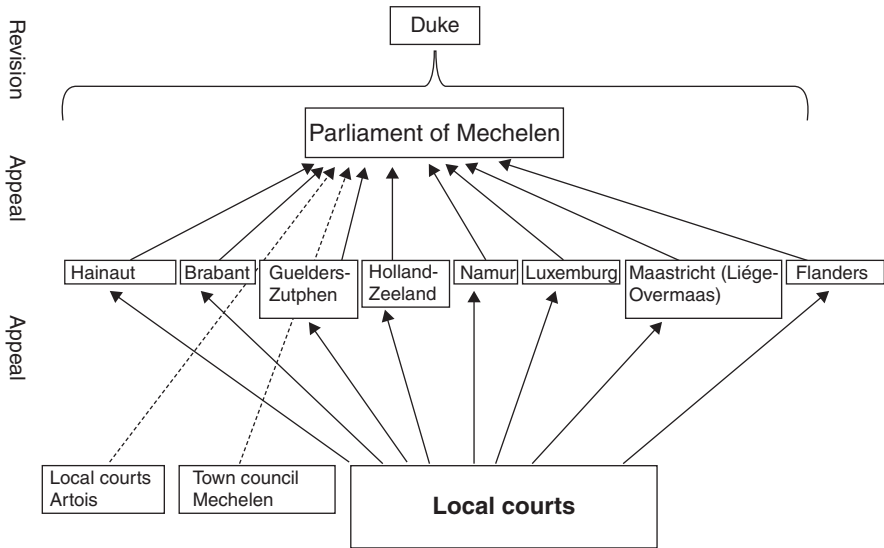


Figure 6.1. The legal system in the Netherlands: the situation ca. 1475⁷

The developments that affected the calm of the council chambers and the Parliament of Mechelen were largely rooted in the turbulent outside world, in the towns and communities where the bailiffs and sheriffs, colleagues of Floris van Boshuysen, played their role completely arbitrarily. This is where this chapter has to start.

6.2 THE BAILIWICKS

In the twelfth, thirteenth, and fourteenth centuries a new type of civic officer appeared in the different provinces of the Netherlands, one who was of crucial significance in shaping the principalities: the *meyer*, *amman*, bailiff, or steward—here for the sake of brevity referred to as the bailiff.⁸ Although these positions had different names, their activities were largely the same. They renewed the town councils on behalf of the prince and played an important role in implementing policies and issuing ordinances. Ultimately, the bailiff was in essence a legal officer, who played a fundamental role in the operation of the local court of law that was made up of the municipal councillors. He had a threefold role:

⁷ De Schepper, 'Burgerlijke overheden', 317.

⁸ In his book about bailiffs in Flanders, Jan van Rompaey refers to them as 'the only link between the prince and his subjects and... also the fundamental officer on whom the whole apparatus of the state rested'. Van Rompaey, *Grafelijk baljuwsambt*, 21; for the other principalities, see: Lambrecht, Van Rompaey, 'Staatsinstellingen', 123–9; Smit, *Rekeningen* III, 47–74; De Boer, *Rekeningen*, *Gerechtigde ambtenarij* III, VII.

- 1) as procurator;
- 2) as chairman of the court of law; and
- 3) as executor of the judgement.⁹

Originally the prince chaired the meetings of the benches of aldermen himself, to pronounce the necessary judgements. However, it soon became evident that it was impossible for him to attend all the meetings held every year in his land. The obvious solution was to appoint deputies, who equally obviously were drawn initially from the feudal elites. Appointing nobles to such sensitive posts had the inherent danger that they would regard these positions as a personal, heritable tenure.¹⁰ The prince's response to this threatened independence led to a fundamental change of perspective, resulting in the setting up of bailiwicks.

Henri Pirenne already indicated in 1900 that the bailiffs, unlike their predecessors, were paid salaries and could be dismissed, and that as civil servants they were not part of the feudal hierarchy.¹¹ Free of his feudal obligations, the prince could therefore dismiss or transfer a bailiff, and by applying an astute policy of appointments he could avoid the position becoming heritable.¹² Although there was no feudal bond between prince and bailiff, it was desirable for the latter to have a noble title. As chairman of the court of noblemen, he was often required to pronounce judgement on members of the nobility. The nobles could appeal to *privilegium fori*, the privilege that stated they would only be judged by persons of equal status.¹³ Where possible, the princes did not appoint high nobles to these positions, but rather those from a middle or lower level. The rationale behind this is expressed by Philip of Leiden: great vassals were always trying to gain a position independent from the count, thus threatening the unity of the state.¹⁴

The first bailiwicks were established in France in the second half of the twelfth century, not only in the royal domain, but more or less simultaneously in the territories that were governed by the great vassals, including the Flemish Count Philip of Alsace (1157–91).¹⁵ Inspired by his chancellor, Robrecht d'Aire, he tried to strengthen his authority by replacing the feudal burgraves or chatelains with new officers, who were often referred to as *justiciarii*, but later as bailiffs.¹⁶ This was not only in his own interest, but also in that of the developing towns. Previously, burgraves had little empathy with the mentality of the urban brotherhoods or the townspeople, for whom trade played a major role.¹⁷ Bailiwicks spread rapidly over the Netherlands. Hainaut, Artois, and Namur, that were closely related politically and institutionally with Flanders, soon followed suit, in the twelfth and early

⁹ Lambrecht, Van Rompaey, 'Staatsinstellingen', 123–9. Originally, bailiffs also played a role in collecting the receipts from the prince's domains, but in most principalities this task had already been taken over in the thirteenth and fourteenth centuries by the receivers. Only in Artois were the bailiffs also receivers of domain incomes until the fifteenth century.

¹⁰ Nowé, *Baillis comteaux*, 17–43.

¹¹ Pirenne, *Histoire de Belgique* I, 290–2.

¹² Philippus van Leyden, *De cura*, 118.

¹³ Smit, *Rekeningen* III, 147–55; Janse, *Ridderschap*, 387–8.

¹⁴ Philippus van Leyden, *De cura*, 71.

¹⁵ Baldwin, *Government*, 125–36.

¹⁶ Lambrecht, Van Rompaey, 'Staatsinstellingen', 123; Nicholas, *Medieval Flanders*, 83–9.

¹⁷ Dhondt, 'Origines', 71–8; Van Caenegem, Milis, 'Kritische uitgave'.

thirteenth centuries respectively.¹⁸ The Brabant bailiwicks date from a later period than those in Flanders, but here too this was brought about in dialogue between Duke Henry I (1190–1235) and the major towns. Henry created six large new bailiwicks that in the course of time were divided into a large number of smaller ones.¹⁹ In Holland bailiwicks were formed in the second half of the thirteenth century, probably along the lines of those in Flanders. The core of the county was made up of the bailiwick of North Holland, that underwent a number of divisions in the mid-thirteenth century. The bailiwick of South Holland, the area around Dordrecht, seems to have its own individual history.²⁰ The situation in Zeeland is very similar to that in Flanders. The province was in fact a single bailiwick, of which a burgraviat Zeeland was the precursor.²¹ In the Burgundian period, the basis of the legal system was still formed by some 180 bailiwicks (Table 6.1).

The effects of the formation of the bailiwicks went much further than simply the removal of legal responsibility from the feudal players. The origin, the backbone as it were, of the princes' power traditionally derived from the domain assets, an endless series of rights and sources of income that the dynasties had amassed over a long period of time. This was mainly income from agrarian lands and from uncultivated domains as well as the feudal rights from all kinds of estates, coinage rights, tolls, guardianships, and income from the legal system. There was little cohesion between these rights, apart from the fact that they were owned by a single dynasty. However, the bailiffs' power was territorially defined: they represented the prince in

Table 6.1. Overview of the bailiwicks in the Netherlands: the oldest mention and numbers in ca. 1450²²

Province	First bailiwicks	Number ca. 1450
Flanders	1160	32
Artois	Before 1226	13
Brabant	Shortly after 1200	14
Hainaut	1172	13
Holland	1243	43
Zeeland	1203	4
Namur	1219	9
Limburg/Overmaas		2
Luxemburg	1198	8
Guelders	1190	47

¹⁸ Cullus, 'Baillis'; Moreau d'Andoye, 'Organisation', 203.

¹⁹ Kerremans, *Étude*, 11–29; Coppens, 'Meierijen'; Godding, 'Impérialisme', 127–8.

²⁰ Le Bailly, *Recht*, 36–7; Van den Arend, *Zeven lokale baljuwschappen*, 102–12; Bos-Rops, *Graven*, 22.

²¹ Lasonder, *Bijdrage*, 35–57; Gosses, *Rechterlijke organisatie*, 18–22; Dekker, *Zuid-Beveland*, 423–4; Le Bailly, *Recht*, 44–5; Van Steensel, *Edelen*, 181–5.

²² Stein, 'State's officers', 28; Le Bailly, *Recht*, 36–7; Kerremans, *Étude*, 23–4; Van Steensel, *Edelen*, 181–5; Bovesse, 'Personnel', 446–8; Delmaire, *Compte*, XXII–XXIII; Bruwier, 'Origines', 95; Reichert, *Landesherrschaft*, 547–56; Van Schaik, *Belasting*, 250–69; Frankewitz, *Geldrischen Ämter*, 87; 50; Paquay, *Gouverner la ville*, 119; Petit, *Aides et subsides*, 208–9; Henin, *Pouvoirs politiques*, 159–60.

a particular district. The power of the prince—later state power—extended over the territories where the prince or his council appointed the bailiffs.²³

Finally, there was a financial-administrative consequence that is almost as important as the direct societal consequences. The bailiwicks were part of the domain of the prince, and the income from the legal system also went to the prince. To ensure control over this situation, the bailiffs were required to draw up and hand over accounts of their activities several times a year. It is not completely clear when this practice was introduced, but the oldest remaining accounts of the bailiff in Flanders date from 1255. In Brabant, Artois, and Hainaut accounts from the thirteenth century still survive.²⁴

It was particularly in terms of the financial aspects that the system was weakest. Closer inspection showed that control of the financial arrangements was far from precise. It was impossible for the prince's council to acquire a complete picture of the irregular income from the law courts, the private settlements that were made, the confiscations, the buying off of prosecutions, and such like. However, there was another development that was much more serious and more structural, that originated with the princes themselves. Forced by increasingly serious financial shortages, they did all they could to extract more and more money from their domains, as we saw in Chapter 4. While the bailiwicks were established to make it possible to gain better supervision of jurisdiction in the local areas, control was made more difficult because of the financial entwinement. Even worse, the bailiffs regarded their office as an investment, with the disastrous consequences that this entailed for the legal security of the subjects. The sources record countless examples of the abuses committed by the bailiffs: they imprisoned people unjustly in order to extort a ransom; they refrained from bringing criminal cases to court in exchange for bribes; they failed to implement judgements in order to benefit themselves; they oppressed defenceless citizens.²⁵ The crux of the problem for the central administration was expressed clearly in 1389 by Duchess Joanna of Brabant: 'To our regret we have heard through all kinds of messages and complaints that reach us daily, that our subjects and people, wherever they are located, are governed and treated arbitrarily and outside the law and judgement by our judges, receivers and other officers, large and small'.²⁶ In the late fourteenth and early fifteenth centuries, the subjects would have had great expectations of Burgundization: finally the provinces would be ruled by a dynasty that set great store by maintaining a just legal system, and that was moreover wealthy enough not to impose too many debts on the public offices. The financial significance of the bailiwicks will be addressed in greater detail in Chapter 7, but for the time being, we can say that the initial developments were positive. Where possible, Philip the Good endeavoured to pay off the debts on the bailiwicks and other domain assets. In 1436, for example, he made funds available to reduce the

²³ Janssen, 'Niederrheinischen Territorien', 130–3.

²⁴ Bautier, Sornay, and Muret, *Sources* I, 2, 155, 295, 329; Delmaire, *Compte*, XL–XLI; Kerremans, *Étude*, 273, n. 1.

²⁵ Nowé, *Baillis*, 128–56; Van Rompaey, *Grafelijk baljuwsambt*, 482–502.

²⁶ Bolsée, *Grande enquête*, XXVI–XXXIV.

debts on the Flemish bailiwicks and in Brabant too in the 1430s these were again an important source of income.²⁷ When the duke was deeply in debt in the mid-1440s the picture gradually changed. The financial department of the privy council issued a series of decrees in March 1454, raising the incomes and reducing the expenditures in all domains, including Burgundy and Franche-Comté. The bailiwicks were not exempted.²⁸ In the 1460s, large-scale pledging of the legal offices was the almost inevitable consequence of this development.

Pledging of the legal offices was not a new phenomenon in the Netherlands. Philip the Bold had applied this practice on a limited scale in Flanders and Burgundy, and Count William VI of Hainaut, Holland, and Zeeland had already started to do the same. It was generally the smaller bailiwicks that were affected, but, as a result of financial need, from the 1440s, the larger bailiwicks also became increasingly involved. In Holland, the office of bailiff was pledged in four of the seven large towns: Haarlem, Delft, Leiden, and Amsterdam, followed gradually by the large territorial bailiwicks. This was particularly common in Holland; in Flanders and Brabant, it was used with much more reticence. In 1465, the majority of the bailiwicks in Brabant and Flanders operated a system of submitting accounts, while in Holland more than 80 per cent were pledged (Figure 6.2).

By around 1469, pledging became the new norm. In a series of decrees Charles the Bold determined that all the bailiwicks in his lands should be pledged at a public auction.²⁹ The auction determined the amount that the winner, the person

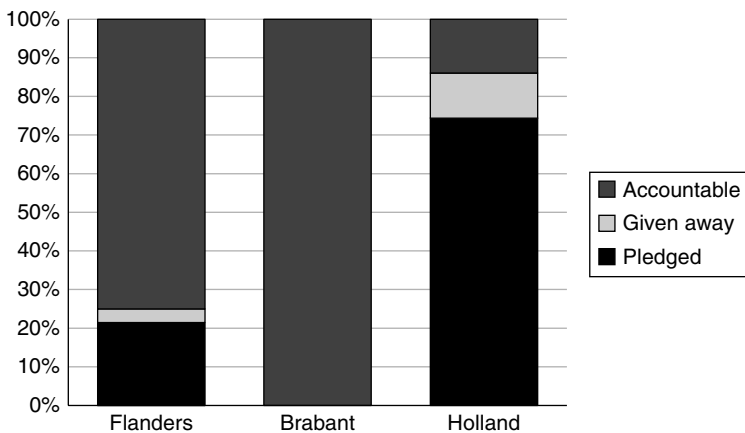


Figure 6.2. Status of the bailiwicks in Flanders, Brabant, and Holland in 1465³⁰

²⁷ Aerts, 'Inhoud' II, 35–8; Van Rompaey, *Grafelijk baljuwsambt*, 550–1, no. XIV.

²⁸ Jansma, *Raad*, 101; Van Rompaey, *Grafelijk baljuwsambt*, 427–9; Stein, 'Burgundian bureaucracy', 16–24; Brussels AR, CC 133, f. 42v–47r; Lille AND, B 1607, f. 102v–103r.

²⁹ Cullus, 'Baillis', 145; Van Gent, *Pertijelike saken*, 96–100; Haemers, *For the common good*, 41; Van Steensel, *Edelen*, 184–5.

³⁰ Stein, 'Burgundian bureaucracy', 16–20. No information is available to indicate to what extent the bailiwicks in other provinces were pledged.

who would become bailiff, had to pay annually to the government in return for being allowed to exercise the office for six years. Following the annexation of Guelders in 1473, this system was also introduced there.³¹ These developments show that the Burgundian government, like the former dynasties, regarded administration of justice not so much as an ambition, but rather as a cash cow.

Pledging meant that the offices were allotted to the highest bidder for a set period of time, generally three or six years. This led to a form of privatization of the legal system that without doubt was just as disastrous for legal security as the previous practice of imposing debts on the offices. Again, the winners of the auction regarded their bailiwick as an investment to be exploited to the full, regardless of the cost to the legal position of the parties and the accused.³² Moreover, the bailiffs were now barely required to account for their activities; for financial reasons, it was very difficult to dismiss them and it was also questionable whether the most suitable people acquired the bailiwicks in the first place. This state of affairs soon led to widespread protests. The States of Hainaut indicated in 1473 that the practice of pledging was very harmful to the poor inhabitants: 'Au grand dommage du povre peuple'.³³ The Rotterdam council clerk Jan Allertszoon noted the following in his chronicle:

Since the offices have been put on the market and sold, justice, that was previously held in high regard, has been lost. Wicked and stupid rabble now have a place in the law courts and are becoming rich. Good, sensible people have to bribe them to alter their judgement. This is why justice is presently dishonoured.³⁴

The protests were widespread, but Charles the Bold was keen to dismiss them. In an open letter, sent in December 1470 to various magistrates in the Netherlands, he stressed the importance of the system of pledging. Was it not his distant ancestor Saint Louis IX who had originated the idea? And was Louis not famous for being one of the fairest monarchs in Christianity, a model of justice and order? With the use of pledging the French King had ensured that the bailiffs treated the law with greater care and awareness and were more inclined to prosecute wrongdoers. The system of pledges was also a good way of ensuring that the bailiwicks were not passed on to family members and friends, the source of many abuses in the justice system.³⁵ The protests did not in any event prevent the duke five years later in 1475 from again pledging the bailiwicks, driving the prices even higher by offering bidders the prospect of financial extras.

Given these developments, it is not surprising that the bailiffs increasingly became symbols of arbitrariness, greed, and injustice. In many town halls paintings could be seen depicting the improper activities of a steward or bailiff. It is

³¹ Van Veen and Schilfgaarde, 'Raden', 35; Kuys, *Drostambt*, 52.

³² Van Cauwenberghe, *Vorstelijk domein*, 153–4; Soens, *Rentmeesters*, 59–63.

³³ Arnould, 'Privilèges', 27.

³⁴ 'Sedert dat men brochte / Ter marct ende vercofte / Officien om gelt / Doen wart trecht verloren, / Dat men daer tevoeren / In groter eeren helt. / Quade, domme knechte/Sitten nu te rechte / Om hoir groet present; / Goede, vroede lieden/Moeten hem gemieden / Te droegen hoir jugement / Hierom is recht gescent up dees tijd.' Den Boom, Van Herwaarden, 'Rotterdamse kroniek', 43.

³⁵ Vaughan, *Charles the Bold*, 401.

remarkable that on these same paintings the prince is pictured as the nemesis. There was for instance a popular anecdote in the fifteenth century about a bailiff and a cow that was displayed in many a council chamber. The story went as follows: in 1330 a farmer was living in the south of the county of Holland. Although he was poor, he had a wonderful cow that ensured he and his family had a carefree life. The bailiff of South Holland wanted to buy the cow from him, but the poor man stubbornly refused to part with it. The bailiff took the law into his own hands, removed the cow from the meadow and replaced it with an inferior animal. Obviously the poor man was not happy with this and on the advice of his friends, he paid a visit to Count William III who was ill and had taken to his bed. It was not without reason that the count had the nickname of 'the good Count William', and he would surely be able to help him. The man complained to the count about the injustice that had been done to him. William summoned the bailiff. Upon being questioned, the bailiff soon admitted his misdeed, and the count instructed him to pay the farmer the difference in value between the two animals. But the count went further: 'Now I have settled the affair between you and this man, but not that between you and myself'. The second judgement was far worse for the bailiff than the first: the count summoned the hangman 'and the good Count William drew out the sword of justice and handed it over to the hangman to do justice'.³⁶ The symbolism is clear: the avenging authority—the count—punishes the injustice committed by the bailiff. A comparable message was delivered by two beautiful panel paintings by Gerard David that hung in the chamber of the city council of Bruges. They recall the military judgement of the Persian King Cambyzes. A judge in the service of the king was bribed to deliver an unjust judgement. When the King heard of this he had the judge's throat cut and his body skinned. The judge's skin was then used as a cover for the judge's seat, on which his son as the new judge had to deliver his judgements.³⁷ The work of the printing press meant that the two anecdotes spread rapidly. The story of the bailiff and the cow appeared in the *Gouds kroniekje*, and that of judge Cambyzes in *Dat Scaecspel*, which were printed in 1478 and 1479, respectively.³⁸

It is understandable that, when the Burgundian state shook to its foundations after the death of Charles the Bold, the pledging of the judicial offices was reversed. The system had been shown to be detrimental to legal security. The general privilege, that applied to all Burgundian provinces in the Netherlands, puts this very clearly: 'No offices of justice in our lands will be pledged'. The decree in the Holland-Zeeland privilege, stating that legal officers have to revert to the former custom and are again required to submit accounts, is even more specific.³⁹

³⁶ Scriverius, *Goutse chronycxken*, 98–9.

³⁷ Van der Velden, 'Cambyzes for example', 7–8.

³⁸ Van der Velden, 'Cambyzes reconsidered'; Van der Velden, 'Cambyzes for example'; De Ridder, *Gerechtigheidsstaferelen*, *passim*; De Waal, *Vaderlandsche geschieduitbeelding*, 258–80.

³⁹ Blockmans, 'Privilege voor alle landen', 93, art. 17; Blockmans, 'Privilege voor Vlaanderen', 133, art. 15; Jongkees, 'Groot privilege', 222–3, art. 15; Van Uytven, 'Blijde Inkomst', 312, art. 38; Douchamps-Lefevre, 'Privilège', 247, art. 10; for Luxemburg compare: Petit, 'Luxembourg', 391; previously, in 1473, the States of Hainaut tried to end the pledging of the bailiwicks; Arnould, 'Privilèges', 27, 30–4.

In contravention of these undertakings, Maximilian again began to pledge official positions soon afterwards.⁴⁰

The bailiffs were not the only weak link in the judicial chain. The municipal courts themselves, the bodies that delivered the final judgement, were also problematic. Partisanship, rooted in clientelism and the struggle between different factions that penetrated the whole of medieval society, had a major impact on the independence of the local courts. In his *Jans teestije* (ca. 1325), Jan van Boendale explains it as follows: 'You should be aware that anyone who buys an alderman's post is buying a hell. Barely one in ten of them manages to keep things in balance. Friendship, envy, gift or kinship make them unjust and blind them so that they lose sight of justice.'⁴¹ Ultimately the problems of local jurisdiction were based on finances and partisanship, but part of the solution could be found in the legal sphere. This solution could no longer be sought at local level, but within higher legal bodies—the provincial council chambers—that were able to test the quality and impartiality of the judgement, and that were authorized to punish misconduct.

6.3 THE PROVINCIAL COUNCIL CHAMBERS

In the course of the centuries the dukes and counts had assumed the role of highest judicial body in their principality, and as a result, the administration of justice had become the most important public duty of the princes and their councils. This responsibility was taken over by the council chambers, whose competence extended in principle over the whole territory of the former principalities: the Council of Flanders had authority over Flanders and Walloon Flanders, the Council of Brabant over Brabant and Limburg *mutatis mutandis* for the other council chambers.⁴² However, within their jurisdiction the council chambers encountered all kinds of lordships and territories each with its own legal statute, such as the Land of Heusden, the castellany of Flobecq, Lessines, and various smaller privileged communities. Each principality represented a *composite monarchy* in miniature.⁴³

The responsibilities of the new council chambers were largely derived from those of the former princely councils. In around the middle of the fifteenth century these chambers shared many similarities (see Box 6.1).⁴⁴ They often shared the competence mentioned here with the urban law courts, particularly as regards

⁴⁰ Boone and Brand, 'Ondermijning', 14.

⁴¹ 'Wie... scependom coept / Die coept die helle, sijts gewes; / Want van tien en cume een es / Die recht draghet de waghe / Vrientscap, nijt, miede of maghe / En trecken, voer waer gheseyt / Selc stont uter gherechticheyt; / Want deze makenen so verblindt / Dat hi trecht niet en kint.' Snellaert, *Nederlandsche gedichten*, 175–6 vs. 1136–45; compare Van Anrooij, 'Hoemen'.

⁴² Van Peteghem, *Raad*, 131; Dumolyn, *Raad*, 90–1; Godding, *Conseil*, 244; Gaillard, *Conseil* II, 1–14; Cauchies, 'Justice bicéphale', 117; Cauchies, 'Grand bailliage', 138; Borgnet, 'Origine', 442, 455–6; Maris, 'Raadkamers', 45.

⁴³ Exemplary for Namur: Génicot, *Atlas historique*; compare Uyttebrouck, *Gouvernement*, 43–111.

⁴⁴ Monballyu, 'Gerechtelijke bevoegdheid'; Monté ver Loren, *Historische ontwikkeling*, *passim*; Godding, *Conseil*, 173–269; Vandermaesen, 'Curia', 51–3; Le Bailly, *Recht*, 204–75; Dumolyn, *Raad*, 89–114; Cauchies, 'Conseil', 129–30; Cauchies, 'Justice', *passim*.

Box 6.1. Jurisdiction of the council chambers

1. Reserved cases (*cas reservez*), relating to
 - a. the officers of the prince (bailiffs, receivers) and powerful nobles.
 - b. *personae miserabiles*, ecclesiastics, and foreigners.
 - c. the prince's rights and assets.
 - d. major crimes such as revolts, kidnap, rape, and murder.
2. At the request of the lower courts of law
 - a. *recours à chef de sens*.
 - b. disputes between lower law courts relating to their authorities.
3. At the request of the parties
 - a. appeal.
 - b. voluntary jurisdiction.
 - c. arbitration.
 - d. pardon (awarded by the prince).
4. On own initiative
 - a. evocation.
 - b. prevention.

the cases reserved for judgement by a higher authority. In the late medieval legal order, acting as a court of appeal and taking action against the bailiffs was an important function; it allowed the council chambers to intervene directly in the administration of justice at local level.

The role of the council chambers as courts of appeal had old roots. From the thirteenth century, in any event in Brabant and Flanders, it was possible to have a judgement declared false if there was clear evidence of prejudicial conduct (*faussement de jugement*).⁴⁵ The complainant would claim that the municipal court had knowingly declared a false judgement and had therefore disadvantaged him. The law court that delivered the final judgement was equal in level to that of the court chaired by the judges against whom the complaint had been made; at this time there was no hierarchical distinction between the courts as became the case at a later stage in higher appeal.⁴⁶ This hierarchy was present in the *recours à chef de sens*, the practice whereby a court on its own initiative could seek the advice of a specific higher court.⁴⁷ There are too few sources to determine precisely when the princely councils started to act as courts of appeal, but it is clear that this generally occurred before the assumption of power by the Burgundian

⁴⁵ Van Rompaey, *Grote Raad*, 308–29; Godding, *Conseil*, 247–60; 'Appel', 282–3; 'Conseil'; Wedekind, *Bijdrage*, 11–43; Le Bailly, *Recht*, 169–75; Monballyu, 'Appellatiën'.

⁴⁶ Ganshof, 'Étude'; Monballyu, 'Appellatiën', 238; Buntinx, *Audiëntie*, 241–4; Godding, 'Appel', 282.

⁴⁷ Hermesdorf, 'Te hoofde', 40, 41; Godding, 'Appel', *passim*.

dukes. This was the case in Hainaut where the Court of Mons had traditionally acted as court of appeal for Valenciennes and is referred to as such in 1338. In Namur, too, it was possible to lodge an appeal with the council. In Flanders this possibility was introduced during the reign of Louis of Male, who promoted the *Audience* as court of appeal. However, resistance by the powerful cities delayed and frustrated this development, and it was not until 1453, after the peace of Gavere, that the Council of Flanders was generally recognized as a court of appeal. One of the first identifiable reports of an appeal to the count's court against the judgement of a municipal court in Holland dates from 1392. The people of Zeeland were not so keen to involve the 'foreign' Council of Holland in their legal affairs. Until the middle of the fifteenth century only one appeal is known from Zeeland to the Council of Holland, in comparison with twenty-seven from Holland and Westfriesland. The situation in Brabant seems to be an exception. Higher appeal was not completely unheard of there, but until the end of the reign of Philip the Good, the municipal courts in the larger towns acted as appeal, and it was not until around 1470 that the Council of Brabant was able to acquire this role. When the Council of Guelders was established by Charles the Bold in 1473, it was appointed as an appeal body. However, we do not know whether this was a continuation of an older tradition.⁴⁸

Prosecutions of the bailiffs were also traditionally reserved for the prince and therefore the princely council. In many cases the dukes and counts were not prepared—or not able—to take a strong line. The bailiffs themselves were sometimes members of the princely council, and, even more important, were in many cases their creditors. They therefore often had a free hand in how they conducted themselves—as far as this is concerned, the comment by bailiff Floris van Boshuysen, that he was the only lord in Leiden, is probably not so far from the truth. The ineffectiveness of the princes' control over the bailiffs forced the inhabitants of the provinces of the Netherlands time and again to take the law into their own hands. The Brabant Charter of Kortenberg (1312) is the most striking example of this. In this constitutional text, Duke John II promised his subjects that the people of Brabant would always be held 'to the laws and judgements' and that the social orders in Brabant could come together to assess the state of the administration of justice and the conduct of the bailiffs. This task was entrusted to the so-called Council of Kortenberg that was made up of citizens and nobles and that met every three weeks. In the following decades the authority of this council was confirmed repeatedly, but nonetheless it was unsuccessful in creating for itself an unequivocal position.⁴⁹ When the power of the prince was weak, the subjects in the other principalities likewise

⁴⁸ Godding, De Smedt, 'Evolutie', 172–3; Cauchies, *Législation*, 563–6; Le Bailly, *Recht*, 81–7; Godding, *Conseil*, 254–60; Blockmans, 'Hierarchisierung'; Borgnet, 'Origine', 441; Douxchamps-Lefèvre, 'Conseil', 140; Moreau d'Andoye, 'Origines', 357–9; Godding, 'Appel'; Maris, 'Raadkamers', 46, n. 1.

⁴⁹ Van der Straeten, *Charter I*, 262; II, 122–5, 133–4; Bolsée, *Grande enquête*, XII–XXIII; Piot, 'Enquête', 49–70; Piot, 'Deux nouvelles enquêtes', 179–80.

took measures to keep the bailiffs under control. In 1307–8 the crisis surrounding the succession by Robert of Bethune in Flanders sparked an enquiry into the conduct of the bailiffs. Later, during the revolutionary period under Jacob van Artevelde (1337–45), an arbitration commission was set up to control the activities of the civil servants. In the Treaty of Mechelen of 1379, an armistice in the Ghent war, Louis of Male promised to establish a council that would be completely under the control of the Members and that was intended to control the Flemish bailiffs.⁵⁰ Hainaut had a long, almost constitutional tradition, in which the counts issued decrees, at the insistence of the three States, to guarantee careful control of the bailiwicks.⁵¹ In around 1369 an investigation into the activities of the civil servants also took place in North Holland. It is quite probable that this was at the insistence of the towns, although there is no direct evidence for this.⁵² In Guelders, the Council of Sixteen that was instituted in 1423 to promote the interests of the four quarters was involved in both the appointment of the officers and in the auditing of their accounts.⁵³ Following the takeover of power by Burgundy, the control of the bailiffs, sheriffs, and other officers was transferred to the council chambers. The council chambers were therefore formally following in the footsteps of the old princely councils, but they also represented the legal interests of the inhabitants, a task that had previously been mainly in the hands of the representative institutions.

The rise of Burgundy brought not only continuity but also institutional reform. The most important development was undoubtedly the gradual creation of more or less clearly defined institutions that were addressed in Chapter 5. From then onwards the core of the council was increasingly made up of competent members, educated in law at one of the new universities. It became steadily less common for the councils to include representatives of the parties and factions that had traditionally held sway over the legal service; this was, by the way, no guarantee that the educated council members were immune to the temptations of family, friendship, and money. The institutional developments went deeper than just the formation of the core of the council. I will now discuss three of these reforms:

- The development of a Ministry of Public Affairs.
- The advent of a systematic administration.
- The introduction of regulations.

6.3.1 Ministry of Public Affairs

In the late Middle Ages it was common for parties in a legal case to arrange representation for themselves at the law courts, just as it is today common practice for

⁵⁰ Nowé, *Baillis*, 143–56; for the political developments, see: Van Werveke, ‘Nederlanden’, 16–21; Vandermaesen, ‘Vlaanderen’, 466.

⁵¹ Faider, *Coutumes, passim*; Cullus, ‘Officiers’, 85.

⁵² Jansma, ‘Document’, 47–52; De Boer, *Graaf*, 47–52; Van Mieris, *Groot charterboek* III, 412–3 mentions the punishment of a large number of bailiffs in Rijnland in 1384. There are no indications of the involvement of the towns or States.

⁵³ Nijhoff, *Gedenkwaardigheden* IV, VIII; Alberts, *Staten* I, 119–20.

people to engage a lawyer. An intercessor (*procureur*) would be engaged, generally one specialized in common law, or a lawyer who had studied at a more advanced level and who was competent in the principles of learned law. The intercessor and the lawyer could speak on behalf of their master, whether he was absent or present. For the prince it was also important to appoint representatives to serve his financial or legal interests, as essential accomplices in the representation before the papal Curia, the Parliament of Paris, or one of the other foreign law courts. The members of the Ministry of Public Affairs—the procurator-general and the fiscal attorney—also represented the interests of the prince, and later of the community, but unlike the private attorneys they belonged to the staff of the law court.

A precursor of the Ministry of Public Affairs can be seen in the 1260s in the ecclesiastical courts of northern France. A short while later, still in the thirteenth century, a secular equivalent came to the fore as *procureur du roi*, delegate of the king of France.⁵⁴ In around 1330 this attorney was given special status as the authorized representative of the king within the Parliament of Paris. He was charged with defending the rights of the king and Crown and safeguarding the integrity of the royal domain.⁵⁵ At the end of the fourteenth century, he developed into the only procurator responsible for maintaining public order, and thus became an important link in the prosecution of the *cas royaux* or *cas réservés*, those cases that were reserved for judgement by the king—or, by delegation, the Parliament of Paris. On behalf of his master, he could prosecute before parliament those individuals who disturbed public order or violated the rights and possessions of the state and those officials who exceeded their authority. In the same period, the almost personal bond with the king lessened. From the 1330s the procurator-general was assisted by a fiscal attorney. This was an official who on behalf of the king could speak in parliament, generally in civil cases.⁵⁶ He, too, was mainly involved with pursuing the *cas réservés*. He could instigate independent investigations into specific issues, act at the request of the council, or join with one of the parties in an existing legal case.⁵⁷

In the Netherlands the first precursor of the procurator-general appeared in 1356 in the *Gouvernance* of Lille, Douai, and Orchies, as a representative of the French king. From 1370 onwards the records of the forerunner of the Council of Flanders, the *Audience*, mentioned the procurator of the count, *le procureur de monsieur* or *le procureur de Lille ou nom de monsieur*, remarkably enough always in cases that were conducted in French.⁵⁸ The question is whether this was a true procurator-general role. It seems more likely to be one of the representatives of the count, who was not part of the court itself. It is interesting to discover that he appears in the *Gouvernance*, the governing body of the castellanies of Lille,

⁵⁴ Leyte, 'Origines'. ⁵⁵ Aubert, 'Ministère public', 493.

⁵⁶ Leyte, 'Origines', 23; Aubert, *Histoire*, XXVI–XXVIII; Aubert, 'Ministère public'; Lot, Fawtier, *Histoire* II, 364–71; Dauchy, 'Défense'.

⁵⁷ Van Peteghem, *Raad*, 72; Van Rhee, 'Openbaar ministerie'.

⁵⁸ De Pauw, *Bouc*, 36–7, no. 91, etc.; Buntinx, *Audiëntie*, 136–40; Dauchy, 'Défense', 60. In 1356 the *Gouvernance* of Lille, Douai, and Orchies was still under French administration.

Douai, and Orchies, that belonged to the French king until 1369 and after this was added to Flanders. In 1385, shortly before the institution of the Council of Flanders, a procurator-general of Artois is mentioned. We can assume that this is also a legacy from the French period.⁵⁹

The first mention of a procurator-general in the Council of Flanders occurs in 1390. The Flemish accounts of 1396–7 mention the salary of Jacques de la Tanerie, whose duties corresponded with those of his French colleague, namely that he was expected to: ‘Be aware of all matters, misdeeds, crimes and abuses that concern my afore-mentioned lord, the lordships and noble assets that he has acquired or shall acquire in the county, towns and lands mentioned, both before the Council Chamber and before the Audit Office in Lille’.⁶⁰ The procurator-general thus assumed at a provincial level an important part of the task that the bailiffs fulfilled locally. A short while later Jacques de la Tannerie was assisted by a deputy (1398) and, after the reformation of the Council of Flanders in 1409, by a fiscal attorney. The division of responsibilities between attorney and lawyer was that the former would take on all the investigative work while the latter would carry out the legal preparations and would plead the case before the council—referred to in 1409 as *plaider et escrire*.

A Ministry of Public Affairs was gradually introduced in all the provincial council chambers, in line with the model used in the Council of Flanders (Table 6.2).

Table 6.2. Date of the introduction of the Ministry of Public Affairs in the provincial councils⁶¹

Province	Procurator-general	Fiscal attorney	Formation of core council
Flanders	1390	1407	1409
Burgundy	1422	1422	1422
Hainaut	–	1557	Ca. 1420?
Namur	1429	1589	1429
Brabant	1434/1479	–	1430
Holland-Zeeland	1434	1462–3	1433
Luxemburg	1444/1461	1504	1444
Guelders	1473	–	1473

⁵⁹ Foucart, *Gouvernance*, 131–2; Buntinx, *Audiëntie*, 137–8; Van Nieuwenhuysen, ‘Documents’, 205.

⁶⁰ Lille ADN, B 4081; Buntinx, *Audiëntie*, 139, n. 2; Volckaert, *Functionarissen*, 36–8.

⁶¹ See the older studies by Tierenteyn and Alexandre: Tierenteyn, *Histoire*, 24–36, 48–54; Alexandre, *Histoire*, 55–65. This can be supplemented for the individual principalities by: Dumolyn, *Raad*, 70–6; Verhaest, ‘Openbaar ministerie’; Godding, *Conseil*, 104–14; Damen, *Staat*, 97–9; Jansma, *Raad*, 83; Jansma, ‘Voorgeschiedenis’, 129; Cauchies, ‘Professionalisation’, 29; Douxchamps-Lefèvre, *Province*, 23–4; ‘Conseil’, 118–19, 134; ‘Organisation’, 202–3; Henin, *Pouvoirs politiques*, 224; Maris, ‘Raadkamers’, 61; Vaughan, *Philip the Bold*, 134; Champeaux, *Ordonnances des ducs*, CCXXXVII–CCXLIII, 111–13, no. XXVIII; Gresser, *Franche-Comté*, 261–5; Cauchies, ‘Conseil souverain’, 128; Richard, ‘Institutions’, 220; Junot, ‘Avocat’, 167; Bourguignon, *Chartes*, 14–15; Van der Vrugt, ‘David et Philippe de Bourgogne’, 61.

In Luxemburg the position of procurator-general was assumed in 1444 by the receiver-general, and not until 1461 by a specially appointed official.⁶² In Hainaut, the Ministry of Public Affairs did not develop until much later. The positions of the procurator-general were fulfilled in Hainaut by the grand bailiff, a situation that was confirmed as late as 1515, by Charles V at his Joyous Entry.⁶³

In most principalities the Ministry of Public Affairs was introduced with little or no fuss, but in Flanders and Brabant, it met with fierce resistance. In around 1400 the Flemish Members demanded the removal of the procurator-general 'qui est officier nouvel et non nécessaire'; they believed it would be better to make use of the local bailiffs, and equally of the municipal councils. Their resistance was in vain.⁶⁴ The situation in Brabant was even more difficult. The first procurator, Alard van Wieringen, appointed in 1434, was conspicuous mainly by his absence. His successor, Jan de Beyer, appointed in 1436, took his responsibilities much more seriously, so much so that in 1441, Brussels sentenced him to a pilgrimage to Nicosia. Jan is supposed to have committed 'great abuses' against municipal law. Exit Jan, enter Laurens. Laurens van Stamervoort was appointed in 1442, but was dismissed a year later by Philip the Good at the insistence of the States. No new appointment was to follow until the duke and the States had reached agreement about the exact responsibilities of the position. Is it any wonder that the successor, Gijsbert Molenpas, was referred to in 1458 not as procurator-general, but as 'our procurator in all private matters'? After several active years, Gijsbert was given a sideways move. He ended his career as a clerk of the feudal register. It was not until 1479 that a new procurator-general was appointed.⁶⁵

Why was there such resistance against the procurator-general? Undoubtedly this position was regarded as a threat to urban or provincial privileges, as sources from both Flanders and Brabant confirm. He could ally himself in a local legal case to one of the parties and thus raise the case to the higher level of the councils. Another argument can be found in the case mentioned at the opening of this chapter, between the Leiden bailiff Floris van Boshuysen and the procurator-general. Floris regarded the procurator as a foreigner who was interfering in local matters.

6.3.2 The Keeping of Records and the Clerk of Court's Office

It was important to keep records in order to be able to maintain a written procedure, a practice borrowed from ecclesiastical (Romano-canonical) customs. The written procedure contained a strict regulation of the rules of procedure governing how parties had to submit their complaints, evidence, and arguments. The court itself kept records of the proceedings of the cases brought before it to show that the different steps in the procedure had been followed, the parties had given *acte de presence*, all the items of evidence important to the case had been presented, what the arguments of the complainant and defendant were, and of course also

⁶² Bourguignon, *Chartes*, 14–15; Van Werveke, 'Notice', 266.

⁶³ Pinchart, *Histoire*, 9, 16; Cauchies, 'Grand bailliage', 138; Gondry, 'Mémoire', 10.

⁶⁴ Prevenier, *Leden*, 211, n. 8. ⁶⁵ Godding, *Conseil*, 104–14.

what the eventual judgement of the court was. Such information had to be recorded for eternity, not only because judges were mortal, but also because precise records meant that an appeal to a higher court of law was possible.⁶⁶ In time, a single register that recorded all the activities of the law court would develop into an extensive, differentiated administration. One such example is the *olim* series, that was kept by the Parliament of Paris from 1254 to 1319. From the start of the fourteenth century, there was an endless series of divisions into different types of registers. There were separate registers for the departments of parliament, for civil and criminal verdicts, later for the royal ordinances, and later still for pleas, wills, appeal cases, contracts, and so on. At the end of the fourteenth century, there were ten different series of registers.⁶⁷

In the course of the fifteenth century records were maintained in all the council chambers of the Burgundian Netherlands. It is not possible to point to the exact origin and nature of this administration. In a number of cases, the archives have largely (Brabant) or completely (Hainaut, Guelders) been lost. The best documented is the series of registers of the count's court of Holland and its successor, the Council of Holland. The almost unbroken series starts in 1377. At that time the registers still contain a wide variety of documents, relating to finances, the recording of loans, administrative matters, and also the court records. Several years after the takeover of power by Burgundy, in 1436, the system changed, and registration was divided into three series:

1. Registers of the feudal chamber
2. Registers of administrative documents
3. Legal registers

A further differentiation of the legal series took place after 1477, when separate registers were kept for civil and criminal sentences, and a separate series for the cases of the procurator-general. In 1484 there were no fewer than nine series, excluding the series of the feudal chamber and the audit office.⁶⁸ A similar development can be seen at the Council of Flanders, that had its origin in the series of the *Acten en sentenciën* of the audience that dates from at least 1360, but that probably originated from the older counts' series. The organization of the new Flemish council chamber in 1386 did not lead to any noticeable disruption in the records. This only came about with the restructuring of the council in the period after 1405, when the *acten*—procedural documents—were separated from the *sentenciën*, decisions. Gradually, new series were formed: *Placcaeten en ordonnan-ciën* in 1416, a series that related to voluntary law in 1484. Registers of criminal affairs did not appear until much later, in 1570.⁶⁹ A serious administration for the Council of Namur was not in place until 1491, when the council chamber there was reorganized. No registers are available for the provincial council of Guelders-Zutphen, although such a register probably did exist. The regulation for the

⁶⁶ Van Caenegem, *History*, 37, n. 66; Le Bailly, *Recht*, 112–9. ⁶⁷ Dillay, 'Instruments'.

⁶⁸ Lombarts, 'Nota', *passim*; Le Bailly, *Recht*, 93; Le Bailly, 'Betekenis', 104.

⁶⁹ De Pauw, *Bouc* I, VI, VIII; Buntinx, *Inventaris* I, 20, 86, 101, 111, 133–42, 255–6.

Table 6.3. Dates when series of registers were set up in the provincial council chambers⁷⁰

Province	Oldest series	Separate legal series
Flanders	1360–5	1405
Burgundy	1368	–
Hainaut	1333	Unknown
Namur	1423	1491
Brabant	1406?	1473
Holland-Zeeland	1377	1447
Luxemburg	1444	–

subordinate Court of Zutphen (1474) mentions the costs that the clerk incurred for drawing up various documents.⁷¹

Table 6.3 contains the dating of the oldest series of registers and those of the oldest series of specialized legal registers. The table shows clearly that the Burgundization of the principalities did not constitute a break as far as these were concerned. The councils built on the traditions established during the previous period. It also makes clear that a separate legal administration did develop in the Burgundian period but that differentiation in the registers took place at very different points in time.

The appointment of a clerk of court was closely related to the development of the written procedure. He was a specialist writer, generally with a legal training. He received the documents from the parties, monitored the progress of the case, and recorded the decision. Inspired by the ecclesiastical law courts, but probably also influenced by the audit office in Normandy, a specialist writer was appointed at the Parliament of Paris at a very early stage (1254). It soon became apparent that there was a high level of demand in Paris for his services, and by around 1400 there were three clerks affiliated to the most important departments of the parliament: a *greffier criminel* (from 1278), a *greffier civil* (from 1291), and a *greffier de presentations* (from the first half of the fourteenth century). This last clerk arranged the case list for the law court, and recorded the attendance of the council members.⁷²

None of the council chambers in the Burgundian Netherlands had such a well-developed model as that in Paris. Even the extensive ordinance of the Council of Flanders dating from 1483 mentions only one clerk.⁷³ The oldest mentions of clerks appear at very different times in the documentation from the council chambers (Table 6.4). The position developed from the councils themselves. In most cases the position of clerk of court had been filled much earlier by one of the

⁷⁰ Buntinx, 'Audiëntie', 127; Godding, *Conseil*, 150–3, 448–50; Bart, 'Archives', 249; Put, *Inventaris Raad van Brabant* I, 72–3, 90; Le Bailly, *Recht*, 90–6; Bruwier, 'Bestuur', 37; Louant, 'Reflexions', 218, 220; Borgnet, 'Origine', 437, 475–9; Courttoy, Douchamps-Lefèvre, *Inventaire* I, 53, 73, 100, 104.

⁷¹ Van Veen and Schilfgaarde, 'Raden', 32–3.

⁷² Aubert, *Histoire* I, 229–44; Morgat-Bonnet, 'Brève histoire'.

⁷³ Strubbe, 'Verordening', 163.

Table 6.4. Oldest mention of clerks of court in the provincial council chambers⁷⁴

Flanders	1388
Burgundy	1422
Hainaut	End XV
Namur	1508
Brabant	1446
Holland-Zeeland	1445
Luxemburg	1444
Maastricht (Liège, Overmaas)	1474
Guelders	1474

secretaries or clerks of the chancellery. Jan de Brune, for example, was mentioned in 1388 as the first Flemish clerk; some time previously he had been appointed as secretary to Count Louis of Male.⁷⁵ In Brabant, Ambrosius de Dwynter was referred to from 1446 as ‘clerk of court’, but he started his career in 1427 as secretary ‘van den bloede’, a position that Rogier van Woensel had held in 1407.⁷⁶ In Holland, the recording of court documents was carried out alternately by the different secretaries until 1445, with the Flemish Jan Rose playing a particularly important role. Jan had an academic training, and was then appointed as subordinate clerk by one of the ducal secretaries. From 1428 until his death in 1448, he acted as secretary to the Council of Holland. The fourteen registers that he left behind bear witness to the development of the Council of Holland and to his office. In 1447, shortly before his death, he was appointed as clerk of court.⁷⁷

6.3.3 Regulations

Max Weber regarded the existence of regulations, the rules to which an institution is bound, as one of the most important characteristics of a modern institution.⁷⁸ In the Burgundian period, most provincial councils had an ordinance or set of regulations. The Parliament of Paris is thought to have served as a model for these regulations, and indeed a whole series of Paris ordinances has survived. In 1278 the parliament was separated from the royal council by Philip III, an autonomy that was subsequently set out in the ordinances of 1291, 1296, and 1303. The procedure

⁷⁴ Bautier, Sornay, and Muret, *Sources* I, 2, 657–8; Maris, ‘Raadkamers’, 60–97; Champeaux, *Ordonnances des ducs*, CCXXXIX–CCLXI; Damen, *Staat*, 120–6; Buntinx, *Inventaris* I, 8; Borgnet, ‘Origine’, 440; Cauchies, ‘Grand bailliage’, 138; Godding, *Conseil*, 99–104; Dumolyn, *Raad*, 76–8; Gorissen, *Raadkamer*, 37; Van Werveke, ‘Charges’, 628; Renoz, *Chancellerie*, 47–8.

⁷⁵ Volckaert, *Functionarissen*, 38–9.

⁷⁶ Renoz, *Chancellerie*, 47–50; Uyttebrouck, *Gouvernement*, 207 and n. 368.

⁷⁷ As early as 1445 Dirk Boudijnsz van Zwieten was appointed as clerk. He started his career two decades earlier as clerk to the treasury and secretaries. Blécourt, Meijers, *Memorialen*, II–III, XVIII–XX; Le Bailly, *Recht*, 88–90; Damen, *Staat*, 117, 119–22, 501–2.

⁷⁸ Weber, *Wirtschaft*, 158–9.

and the staffing were explained in the ordinance of 1345. In this way the parliament obtained its definitive formation.⁷⁹ A large number of ordinances relating to the councils were also issued in the Burgundian lands. Formally these were generally issued by the dukes, but it is almost certain that the council members themselves were involved in drawing up these documents.⁸⁰ The Brabant regulation of 1474 even states explicitly that it was drawn up by the president and members of the council.⁸¹

In terms of their content, the ordinances represent a heterogeneous series of documents. Some of them establish the 'foundation' of the councils and at the same time relate to procedural aspects. In other instances they are extensive regulations, sometimes containing hundreds of articles, that describe in detail the rules that the council members, attorneys, intercessors, procurators-general, and the legal process have to meet. In some cases these ordinances were public; they were regulations that explained the procedure and the costs in clear terms to the different parties. This is explicitly mentioned in the ordinance issued in 1474 by the Council of Zutphen—'Omdat een ytlick hem solde weten toe voegen ind toe richten'—so everyone would know how to proceed and to administer justice.⁸² The ordinance governing the Council of Holland had to be read aloud once every year to the bailiffs, sheriffs, lawyers, attorneys, and process servers.⁸³ The proclamation of the ordinance of the Council of Flanders (1451) also took place in the presence of the council officials.⁸⁴ Some ordinances only stipulated particular parts of the procedure or the stipulations concerning the appointment of new officers. The Council of Holland, for example, issued four ordinances in 1462 and 1463 to deal with abuses in the conduct of bailiffs and attorneys representing the different parties.⁸⁵ In other cases they went much further, organizing the composition, competencies, salaries, the costs of the proceedings, and the assignment of the different roles. The ordinance of the Council of Holland dating from 1462 is an example of this. At the insistence of the States of Holland, this ordinance was issued by Charles of Charolais, acting on behalf of his father Philip the Good. The 112 articles of the ordinance address in detail all kinds of aspects concerning the council (Table 6.5). The stipulations could be very detailed. The ordinance of 1462 states exactly what the opening hours of the council are, when the council members may take holiday, and how that had to be communicated to the visitors and parties concerned:

There will be a noticeboard in the Council Chamber in the form of a calendar, on which all the holy days that are commonly celebrated are indicated, both the days of the apostles and martyrs and confessors. No other recently introduced holy days may be shown in order to avoid people taking holidays that they are not entitled to.⁸⁶

⁷⁹ Laurière, *Ordonnances* II, 219–28; Guillot et al., *Pouvoirs*, 222–3.

⁸⁰ Wedekind, *Bijdrage*, 42–3. One exception is the ordinance of the Council of Flanders (1386). The implementation of this ordinance will be addressed in a later paragraph.

⁸¹ Oosterbosch and Van den Auweele, *Ordonnantie*, 3.

⁸² Van Veen and Schilfgaarde, 'Raden of Hoven', 27.

⁸³ Bos-Rops et al., *Holland bestuurd*, 324–5, art. 82.

⁸⁴ Vandenpeereboom, *Conseil*, LXVIII.

⁸⁵ Le Bailly and Smithuis, 'Enkele onbekende ordonnances'.

⁸⁶ Bos-Rops et al., *Holland bestuurd*, 309–32, no. 78, art. CXI.

Table 6.5. Content of the ordinance for the Council of Holland, 1462

Article	Concerning
1–38	Staff structure, division of tasks, salaries
39–45	Absentee arrangements
47–69, 77–9	Costs and conduct of intercessors and attorneys
70, 72–6, 80–1	Attendance requirement for council members, attorneys, etc.
46, 71	Recording of activities by the clerk of court
82–99	Competence and procedure
100–6	Appeals procedure and preventing delay of the legal procedure
107–10	Codes of conduct for procurators and parties involved
111–12	Accessibility of the council chamber, opening hours

Another article states that when writing documents for the parties, the secretaries have to use twenty-eight lines per page. And because even this rule could lead to fraud, a further instruction was added that every line had to contain at least ten words.

Over the course of the fifteenth century, several regulations were drawn up for most council chambers, each with minor additions and modifications to the previous version. Articles from the oldest regulations of the Council of Flanders dating from 1386 reappear in later regulations. They were not the result of the dukes' desire for centralization, but a reflection of the provincial style of court procedure, rather a confirmation of the traditions and autonomy than a weakening of them. Individual council members would later publish much more extensive works describing the rights and procedures for councils. One such author was the Brabant council member Willem van der Tanerijen (+1499), with his *Boec van der loopender practijken van der Raidtcameren van Brabant*, and his Flemish colleague Philip Wielant (+1520) with the *Briève instruction* in civil matters and a *Corte instructie* in criminal matters, both in the style of the Council of Flanders.⁸⁷

Such documents are assumed to have been modelled on the ordinances of the French king for the Parliament of Paris. The first Burgundian duke Philip the Bold, son of the King of France, is thought to have imported the French model, first into Flanders; his grandson Philip the Good and great grandson Charles the Bold later introduced it into the other provinces.⁸⁸ Apart from a general consensus on applying a common Romano-canonical procedure, I see no direct borrowing from the ordinance of 1345 of the Parliament of Paris, nor any mutual cross-pollination between the ordinances of the provincial councils.⁸⁹ There is no indication of any

⁸⁷ Van der Tanerijen, *Boec*; Wielant, *Briève instruction*; Wielant, *Practijke civile*.

⁸⁸ Van Caenegem, *History*, 67; Stein, 'Staten', 17–18.

⁸⁹ Wedekind, *Bijdrage*, 31–43. According to Oosterbosch and Van den Auweele, the 1531 regulation for Holland was partly inspired by that of Brabant dating from 1474: *Ordonnantie*, XXIII, XXXV. Moreover, the Council of Brabant was aware of the regulation of the Council of Flanders; at least a copy of the Flemish ordinance of 1386 was found among the documents of the Council of Brabant; Bartier et al., *Ordonnances 1381–1393*, 143. The regulations relating to the duchy of Burgundy and Franche-Comté do not directly concern the provincial councils, but refer to both parliaments and to

Table 6.6. Date and length of the ordinances of the Councils of Flanders, Hainaut, Brabant, Holland-Zeeland, Guelders, and Namur⁹⁰

	Date	No. of articles
Flanders	1386	20
	1407	44
	1439	–
	1451	53
	1463	60
	1483	124
Hainaut	1410	36
	1417	Addition to the previous version
	1440	56
Namur	1491	6
Brabant	1430/1431	19+5
	1474	235
Holland-Zeeland	1462	112
	1480	136
Guelders	1474	49

connection in either the chronology or the scope of the regulations (Table 6.6); the individual articles are all different. We saw earlier that a page of a legal document for the Council of Holland had to contain a minimum of twenty-eight lines, each of ten words. Different rules applied for Brabant and Flanders: a Brabant secretary had to fill a page with eighteen lines, each with twelve syllables; the Flemish secretaries and clerks however had complete freedom to decide for themselves the number of lines and words.

6.3.4 Influences

The development of the council chambers as legal institutions has been ascribed to the dukes of Burgundy who used their authority to model the new institutions on the Parliament of Paris that was first copied in Flanders and subsequently in the other provinces.⁹¹ This is a very one-sided approach. Clearly, the provincial council chambers each underwent an autonomous process of institutional development. The result may show some similarities, but this was mainly due to the

the more general organization of the legal system: Champeaux, *Ordonnances des ducs*, 5–13 (1370), 21–31 (1380), 122–36 (1439), and particularly 211–45 (1474); Champeaux, *Ordonnances Francoises*, 176–213 (1451). These have not been considered here.

⁹⁰ Van Peteghem, *Raad*, 45–7; Strubbe, ‘Verordening’; Oosterbosch, ‘Vroege procedureregelingen’; Oosterbosch and Van den Auweele, *Ordonnantie*; Bos-Rops et al., *Holland bestuurd*, 309–32, no. 78; Borgnet, ‘Origine’, 439, 475–9, no. V; Pinchart, *Histoire*, 14–15; Lameere, *Grand Conseil*, XLVI–XLVII; Faider, *Contumes*, 88–108, 109–16, 132–45; Van Veen and Schilfgaarde, ‘Raden’, 27–33.

⁹¹ Pirenne, *Histoire de Belgique* I, 445; Lambrecht, ‘Centralisatie’, 100; Gaillard, *Conseil* I, 30.

conventions of the Romano-canonical procedure. The route they followed was different and was affected by at least four different agencies, each of which influenced the development in its own way and with very different intentions.

Firstly, there was the direction taken by the Burgundian administration that aimed to create a more centralized state. The council chambers were a crucial link between the local legal system on the one hand and the Great Council and the Parliament of Mechelen on the other. Their growing role as an appeal body could also be used to break the power of the larger towns. This was the case particularly in Flanders, where the municipal councils of Ghent, Bruges, and Ypres had developed into appeal courts for the courts of the smaller towns in their domain. After a series of major crises—the Ghent War (1379–85), the revolt of Bruges (1436–8), and the Ghent uprising (1449–52)—the local municipal councils were brought under the direct control of the Council of Flanders; this council acted as the general court of appeal for Flanders, where judgements by other courts could be reviewed.⁹² In Brabant, too, the autonomy of the municipal councils of the large towns was gradually undermined.⁹³

Secondly, the council chambers themselves promoted their own development as effective legal institutions. It is likely that well-educated chairmen such as Goeswijn de Wilde in Holland, Jan Bont in Brabant, and Jean l'Orfèvre in Luxemburg played a key role in introducing a Romano-canonical procedure.⁹⁴ We have already seen that the start of a systematic practice of recording the procedures and the introduction of the office of the clerk were primarily the consequence of internal developments. These same council chambers also endeavoured to increase their influence in society. This was generally achieved by the procurator-general attaching himself to an existing legal case. If he was of the opinion that a particular matter affected the interests of the duke or the community, he could align himself with a local, civil party and bring a criminal case before the provincial council. If the numbers for Holland are a general indication, this was a regular occurrence. In around the 1460s, the procurator-general was an affiliated party in 106 out of a total of 1,109 cases that came before the Council of Holland.⁹⁵ It was also possible for a council to take over a case from a lower court, a process known as evocation. The local municipal councils were strongly opposed to this practice, and according to the records for Holland, this took place only rarely, and was governed by strict rules. (In the Council of Holland in around 1460, there were three evocations out of 972 cases.)⁹⁶ Finally, the councils could play an intermediary role in conflicts between local courts.⁹⁷

Thirdly, the representative institutions tried to exert influence on the structure and competence of the council chambers, efforts that were often successful. This can be illustrated by the institutional development of the Council of Holland: the structure of the core council, the introduction of a registry, and the establishment

⁹² Dumolyn, *Raad*, 30; Haemers, *Gentse opstand*, 389–90.

⁹³ Godding, *Législation*, 16.

⁹⁴ Damen, *Staat*, 489–90; Godding, *Conseil*, 79–81; Van Werveke, 'Notice', 264.

⁹⁵ Le Bailly, *Recht*, 237.

⁹⁶ *Ibid.*, 210, 270–17; Godding, *Conseil*, 245–6; Monballyu, 'Gerechtelijke bevoegdheid', 24–5.

⁹⁷ Godding, 'Conflicts'.

Table 6.7. Role of the second and third orders of Holland-Zeeland in the development of the Council of Holland⁹⁸

	Cause	Development
1428	Aid/succession	First establishment of a council chamber
1445	Aid	Reorganization/appointment of clerk of court/differentiation in registry services
1452	Aid	Limited reorganization
1462	Aid	Regulation/appointment of first fiscal attorney
1477	Aid/inauguration	Reorganization

of regulations was almost completely due to the efforts of the towns and nobles of Holland, who used the dubious hereditary position of the Burgundian dynasty in 1428 and 1477, and the financial need in 1445, 1452, and 1462 to organize, define, regulate, and restructure the legal structures (Table 6.7).

Similar developments took place in the other provinces, although they were less easily recognizable. The reorganization of the Council of Flanders and the issuing of a regulation in 1409, for example, was a late response to the demands that the Members had made to John the Fearless in 1405. In Hainaut, a series of complaints by the prelates, nobles, and towns in 1410 led to an ordinance on the organization of the justice system. The same occurred in 1491 when an ordinance for the Council of Namur was established.⁹⁹

Closely related to the activities of the representative institutions, the institutional development of the council chambers was ultimately the result of social trends. Increasingly often, disappointed parties tended to appeal to a higher court to have a judgement reviewed (appeal) or to have their case handled anew (reformation).¹⁰⁰ The council chambers were very popular. Philip Wielant—admittedly, as a council member not the most impartial witness—talks of the great increase in the number of cases shortly after the Council of Flanders was established: ‘en peu de temps avoit eu ladicte Chambre grande affluence de causes’. In 1451 Philip the Good also remarked that this council instigated a flood of cases: ‘À l’occasion de notre dite Chambre de Conseil se conflue continuellement peuple et aucune fois à grant multitude’.¹⁰¹ Up to a certain point these reports are confirmed by the quantitative data from Brabant and Holland. In Brabant the number of decisions delivered by the council increased by a factor of 6 between 1437 and 1446. However, it is not clear whether these numbers are representative. Between 1457 and 1467 the Council of Holland experienced an increase in the number of appeal

⁹⁸ Stein, ‘Staten’.

⁹⁹ Stein, ‘Staten’, 25–7; Bos-Rops et al., *Holland bestuurd*, 364–90, no. 85; Le Bailly and Smithuis, ‘Enkele onbekende ordonnances’, Gachard et al., *Inventaire*, 97–100, no. XXI; Borgnet, ‘Origine’, 454–5; the same applies to the determination of the competence of the Council of Brabant (issued between 1448 and 1465) that was not included in the comparison: Godding, *Conseil*, 201–4.

¹⁰⁰ Buntinx, *Inventaris* I, 17; Van Rompaey, ‘Bourgondische staatsinstellingen’, 151; Monballyu, ‘Beroep’, 2; Godding, *Conseil*, 220–30; Van Rompaey, *Grote Raad*, 324–9.

¹⁰¹ Wielant, *Recueil*, 110; Vandenpeereboom, *Conseil*, XLIII–XLVI.

cases, but this growth was much more gradual.¹⁰² In this sense the establishment and development of the council chambers signified an improvement in the quality of the jurisdiction. However, this did not benefit everyone. Legal cases cost—and still do cost—money, a lot of money. Attorney, council, bailiff, clerk, everyone wants his share. In 1460, bringing a case before the Council of Holland cost 8 pounds, a sum that may just have been manageable for a well-educated worker, who earned about that amount in a year, but it was totally beyond the reach of one of the many uneducated labourers in the cloth industry, for example, or a small-holder.¹⁰³ And then one had to hope that none of the parties appealed to the Great Court or to the Parliament of Mechelen, in which case the costs would rise even further. Higher appeal became so popular that the council chambers themselves had to take measures against what was referred to as *frivoool appèl* (frivolous appeals), cases that were brought, not with the intention of winning, but in order to financially ruin the opposing party.¹⁰⁴

During the reign of Charles the Bold the balance that had been achieved was disturbed, particularly as a result of the wide-ranging centralization of the jurisdiction; more will be said about this later. After Charles' sudden death on 5 January 1477 on the battlefield of Nancy, a new balance had to be struck, this time based on the conditions set by the representative institutions. There are explicit mentions of this in some of the privileges issued by Mary. The privilege of Flanders, for example, stipulated that the council had to be restructured, 'according to its first institution'.¹⁰⁵ The council chambers of Brabant, Hainaut, Holland-Zeeland, and Namur also regained their former stature, although they did not emerge completely unscathed from the crisis of 1477. In the past, numerous abuses had been observed, which were now rectified. The problem of corruption was addressed and in order to avoid proliferation, strict limits were imposed on the number of council members and bailiffs. The influx of foreigners was halted by the stipulation that only native-born persons could become council members. In Holland, the president, the procurator-general, and three foreign council members were replaced; in Brabant six of the eleven. On the other hand, the Council of Flanders exhibited greater continuity of membership.¹⁰⁶

The conditional approval of the States was limited to the core provinces. Further towards the east, in Guelders, Luxemburg, and the region of the Meuse, the Burgundians were regarded as occupiers, and the institutions were rapidly disbanded. Having learned of the death of the duke, the members of the Council of

¹⁰² Godding, *Conseil*, 467; Le Bailly, *Recht*, 262, table 5.23; a similar spectacular growth took place between 1425 and 1473 in the number of Flemish cases at the Parliament of Paris: Dauchy, *Processen*, 48–60 and graph I.

¹⁰³ Le Bailly, *Recht*, 166–7.

¹⁰⁴ Monballyu, 'Beroep', 10; Put, 'Archief', 39–40; De Smidt, 'Editie', 10; Le Bailly, *Recht*, 172–5; De Schepper, 'Beleid', 20; Van Rompaey, *Grote Raad*, 324–9.

¹⁰⁵ Blockmans, 'Privilege voor Vlaanderen', 136, art. 27. The same occurred in Holland-Zeeland, Brabant, Luxemburg, and Hainaut: Blockmans, 'Constitutionele betekenissen', 477; Petit, 'Luxembourg', 390–1; compare: Jongkees, 'Groot privilege', 219–20, art. 5–6.

¹⁰⁶ Van Gent, *Pertijelike saken*, 156–7; De Ridder-Symoens, 'Milieu', 263–4; Gaillard, *Conseil* III, 336.

Guelders fled in panic. An anonymous friar from Doesburg reported on the events as follows: 'Then all those who had subjugated the land of Guelders and, appointed by the duke, had governed it as his officers, fled, each to his own country so that within a few days none of those foreign Frenchmen and Picards can be seen in the land'.¹⁰⁷ The president of the Council of Luxemburg disappeared, as did the procurator-general, and one of the councillors suddenly preferred his position as an official in Metz rather than his role as council member. Only one of the council members and the clerk of court remained in their posts. Moreover, Mary was obliged to return to the town of Luxemburg the town hall that a few decades before had been confiscated to serve as court of law. It is highly questionable whether one can say that there was a well-functioning jurisdiction at the time: the number of judgements by the Luxemburg Council dropped from ninety-two in 1476 to two in 1477.¹⁰⁸

6.4 THE GREAT COUNCIL AND PARLIAMENT OF MECHELEN

Charles the Bold was the personification of divine justice, or at least that was his own opinion. This illusion is depicted in the so-called parchment of Montpellier. Below the crucified Christ there is a representation of justice with the inscription:

Justicia a terris iam dudum eiecta recessi	[I,] justice, have departed, driven out of the lands
Ab Karolo nuper vocata veni	long ago. But recently summoned by Charles,
	I have returned.

Below were depicted the four virtues of *Veritas*, *Caritas*, *Sagacitas*, and *Sobrietas*. They bear the coat of arms of Burgundy, as borne by Charles the Bold. Farther below there is a person, half-knight and half-judge. He is standing on a podium on which *consilium*, counsel, is written. This is probably not an image of Duke Charles himself, but rather a representation of ducal power as bringer of *pax et justitia*. Did the parchment ever hang above Charles the Bold's chair when he personally passed judgement in legal cases? Was it a model for a tableau vivant during his entry into one of the towns? Was there a connection with the establishment of the Parliament of Mechelen in 1473–4? These are questions to which we have no firm answers. The function of the parchment may be uncertain, but the message is clear: in the name of God and assisted by the four virtues, Charles the Bold is the upholder of justice.¹⁰⁹

We may question whether this was simply a case of delusions of grandeur. Did the duke not experience his heavy duty to God as a burden? Whenever he visited a town he spent many hours, three days a week, in audience, hearing the complaints of his subjects and passing judgement or, if we are to believe Cornelius Aurelius, sending them from pillar to post, to the great annoyance of the courtiers who were

¹⁰⁷ Noordzij, 'Against Burgundy', 117.

¹⁰⁸ Petit, 'Luxembourg', 388, 390, 401–2.

¹⁰⁹ Paravicini, 'Verstandige waanzin', 40; Paravicini, 'Parchemin'.

obliged to be present.¹¹⁰ The image of the duke as the manifestation of justice has persisted. Even today, it is assumed that Charles the Bold represented a new type of humanist prince, who personally acted as the mediator of divine justice, not as previously on the authority of the Pope or the Church, but because of his personal grandeur. The reference here is not only to his great creation, the parliament, but also to the fact that he withdrew his lands from the sovereignty of the French king, to the impressive list of regulations governing the administration of justice, to his extensive law library and his entourage of learned humanists.¹¹¹

This life vision—the idea of realizing divine justice on earth—resounds in the famous regulation with which Charles founded the Parliament of Mechelen in 1473, that was to provide the highest, sovereign justice in the Netherlands: ‘By the divine goodness and providence that governs and determines all earthly matters, the princes were appointed as the head of the principalities and lordships, so that they, in the place of God, our creator, should maintain the regions, provinces and nations in unity, agreement and discipline.’¹¹² The Parliament of Mechelen, founded in 1473, operational in 1474, and disbanded in 1477, was not created out of thin air. From 1435 a legal department developed from the privy council that became a separate Great Council from 1445, with a judicial specialization.¹¹³ Just like the provincial council chambers, the Great Council underwent an institutional development. In 1447 Michel Garnier was appointed as ducal procurator, who was assisted in the sixties and seventies by a deputy procurator-general and two fiscal attorneys.¹¹⁴ From 1448 a clerk of court was also appointed to the Great Council. Following in the footsteps of the duke, the Great Council travelled throughout the *herzogsnähe* region of Flanders, Artois, Hainaut, and the western part of Brabant. Only once did the court have its seat in the northern Netherlands, in The Hague in 1456. From 1463 the itineraries of the duke and the Great Council began to diverge, which led to the first steps being taken to create a court of law with a fixed location. This development was completed in 1473, when the Great Council was given a permanent location—‘nostre Parlement et court souveraine de tous noz ducez, contez, pays et seignouries de par deça estre tenu a tousiours en nostre ville de Malines’—in practice the premises of the Mechelen municipal council.¹¹⁵

The institutional structure of the Parliament of Mechelen exhibited strong similarities with that of the provincial council chambers in the Netherlands, such as the Council of Flanders (Table 6.8). Undoubtedly this was partly inspired by the Parliament of Paris, the highest court of law in the Kingdom of France, but ultimately both were founded on the structures dictated by Romano-canonical

¹¹⁰ Paravicini, ‘Residenzen’, 484–6; Paravicini, ‘Zwölf magnificences’, 339–43; Aurelius, *Cronycke van Hollandt*, 193v.

¹¹¹ Vanderjagt, ‘Classical learning’, 276; Paravicini, *Karl der Kühne*, 27–9.

¹¹² Van Rompaey, *Grote Raad*, 493–4.

¹¹³ Van Rompaey, *Grote Raad*, 18–72, 493–504, nr. 5; Maes, *Parlement*, 2009, 32–67.

¹¹⁴ The question is whether Garnier as procurator-general was appointed by the Great Council, because he also acted on behalf of the duke at the Parliament of Paris: Van Rompaey, *Grote Raad*, 219–35.

¹¹⁵ *Ibid.*, 44–50.

Table 6.8. Composition of the Parliament of Mechelen, 1474¹¹⁶

Central services	Chancellor	1
	Presidents	2
	Council members and petition masters	30
Ministry of Public Affairs	Procurator-general and deputy	2
	Fiscal attorneys	2
	Clerks of court	3
Supporting services	Secretaries	2
	Collector	1
	Process servers	17
	Messengers	2
	Doorkeeper/gaoler	1

procedure. Charles characterized his new institution in 1473 as the sovereign court of all the provinces of the Netherlands. In this context sovereignty meant on the one hand executing the highest legal authority, unhampered by foreign princes, and on the other hand, developing the parliament into a court of appeal for the provincial council chambers.¹¹⁷

Originally the dukes were not the highest legal authorities in their principalities. The duchy of Burgundy and the regions related to the duchy, the largest part of Flanders, Artois, and Picardy, fell under the sovereignty of the French king and consequently under the Parliament of Paris. The remaining principalities, and there were quite a number of them, were part of the Empire, and were formally subject to the sovereignty of the emperor. French sovereignty was very much a reality, and in the fourteenth and fifteenth centuries parties in Flanders often referred cases for appeal to the Parliament of Paris. Charles' ambition and his growing antipathy towards the French King Louis XI were the impetus for him to withdraw from this submissive position. A first attempt, undertaken in 1468, failed because Louis refused to accept that Charles would become king in his own country.¹¹⁸ In 1470, Charles took the law into his own hands, declared himself 'quittes desdites fidelité, ressort et souveraineté', and a year later he decreed that the Council of Burgundy was no longer subordinate to the Parliament of Paris: he unilaterally raised the council to the highest appeal court in the southern principalities. At the same time, he also put Flanders and Artois outside the sovereignty of the parliament.¹¹⁹ The legal supremacy of the German emperor was less tangible in the Netherlands, as

¹¹⁶ Van Rompaey, *Grote Raad*, 504–6, no. VI; Cauchies, 'Professionalisation', 30–2.

¹¹⁷ Leupen, 'Ontwikkeling', 389–92; De Schepper, Cauchies, 'Justice'; Jongkees, 'Charles le Téméraire', 196; Blockmans, 'Crisme'; Paravicini, 'Mon souverain seigneur'.

¹¹⁸ Ehm, *Burgund*, 295–6.

¹¹⁹ De Ridder-Symoens, 'Jan van Rompaey', 57–8; Blockmans, 'Position', 85–7; with the ordinance of 31 January 1474 Charles revised the law court procedure of the Parliaments of Burgundy and Franche-Comté: Champeaux, *Ordonnances des ducs*, CCCIII–CCCXVI, 194–6, no. XXV, 211–45, no. L; Jongkees, 'Charles le Téméraire'; Blockmans, 'Crisme'; Paravicini, 'Mon souverain seigneur'; Dauchy, *Processen*, 53–4.

Brabant and Hainaut had for centuries enjoyed privileges that confirmed their sovereign status.¹²⁰ From the middle of the fifteenth century, Philip the Good tried in vain to win the emperor's recognition of sovereignty over all his 'German' principalities. This was the status quo in the autumn of 1473, when Charles the Bold entered into negotiations with Emperor Frederick III at Trier, to facilitate the creation of a Friesland-Burgundian kingdom. According to reports in the chronicles, Charles had everything in place for his new kingdoms: a new law, a new coat of arms, and a new coin. However, the negotiations at Trier ended in a resounding fiasco: on an early November morning, the emperor left with no pomp and ceremony and without taking his leave of Charles.¹²¹ In the town of Thionville, the first town under Burgundian rule that Charles entered after his departure, the ordinances were published that arranged for the creation of the Parliament of Mechelen, and that at the same time defined the relationship with the Empire and France.

From the middle of the fifteenth century, and particularly during the unsettled rule of Charles the Bold, a second development also took place, closely related to the first, whereby the ducal Grand Council increasingly acted as court of appeal for judgements by the provincial council chambers of the Netherlands. A first step in this direction was taken in 1445, not because Duke Philip the Good was so much in favour of this move, but because the second and third orders of Holland and Zeeland, tired of the continual party struggles, demanded that the duke should provide them with greater legal security.¹²² Following the Peace of Gavere in 1453, Ghent was the last Member of Flanders to be subjected to the Great Council, certainly not at the request of the Flemish Members, but as a humiliating clause in a peace imposed by the duke. In the course of the 1450s, Hainaut was made subordinate to the sovereignty of the Great Council, and from around 1470 the councils of the remaining provinces followed suit (Table 6.9). This was met with opposition, particularly in Brabant and Hainaut; in Brabant the resistance was in vain, but the States of Hainaut were successful in arguing that foreign judges were not adequately competent in the common law of their province. In 1473 they received permission for the feudal court of Mons to remain sovereign, a concession that the parliament largely failed to observe. Judgements by the non-feudal Council of Hainaut continued to be liable for appeal.¹²³

The documentation of the Great Council and the Parliament of Mechelen gives us an impression of how things proceeded in practice. Mention is made of 486 cases in the period from 1470 to 1476. The involvement of the supreme court was initiated in most cases by a request from one of the parties, either in the first instance or in appeal (56 per cent and 36 per cent of the cases, respectively). The inhabitants of Flanders and Artois—and to a lesser extent Holland—submitted by far the most appeals to the parliament. It was only incidentally that the council summoned cases to itself (7 per cent), and many of these cases concerned Flanders (Table 6.10).

¹²⁰ Lejeune, *Liège*, 93; Stein, 'Recht'.

¹²² Le Bailly, *Recht*, 83.

¹²³ Arnould, 'Privilèges', 27–8; Cauchies, 'Centralisation', 54–8; Cauchies, *Législation*, 576–81; Faider, *Coutumes*, 204–13; Godding, *Conseil*, 301; Van Rompaey, *Grote Raad*, 311–2, 333.

¹²¹ Ehm, *Burgund*, 117–97.

Table 6.9. Submission of the provincial councils to the Great Council/Parliament of Mechelen¹²⁴

Province	Date of submission
Flanders	1438–53
Artois	After 1470
Hainaut	1458
Namur	After 1470?
Brabant	1473
Holland-Zeeland	1445
Luxemburg	After 1470
Mechelen	1467
Guelders	1473

Table 6.10. Specification of the cases brought before the Great Council and the Parliament of Mechelen (1470–6)¹²⁵

Province	First instance	Appeal/ reform	Evocation	Other	Total	% cases
Flanders and Walloon Flanders	73	50	13	0	136	28.0
Artois	46	16	2	0	64	13.2
Brabant	38	16	3	3	57	11.7
Hainaut	15	13	1	0	29	6.0
Holland	22	36	4	0	62	12.8
Zeeland	9	16	2	0	27	5.6
Namur	2	0	2	0	4	0.8
Luxemburg	7	3	0	0	10	2.1
Mechelen	12	4	2	1	18	3.7
Guelders	6	5	1	0	12	2.5
Burgundy	8	4	4	0	16	3.3
More than one province	15	3	0	0	18	3.7
Other/unknown	20	8	0	1	29	6.0
Total	273	174	34	5	486	99.4

Not everyone had access to the provincial council chambers, but the administration of justice by the Great Council was most definitely reserved for the happy few, the privileged and wealthy orders and the large institutions. A convent in Luxembourg estimated that it cost 120 pounds to bring a case before the Great Council in 1472. The largest part of that sum was spent on travel and accommodation costs, but the case itself with all the paperwork and lawyers nonetheless cost almost 30 pounds, the equivalent of five years' salary for an educated wage labourer.¹²⁶

¹²⁴ Van Rompaey, *Grote Raad*, 308–17; Godding, *Conseil*, 301–11; Le Bailly, *Recht*, 81–4 Only from Walloon Flanders could people appeal to the privy council/Great Council, from 1385 onwards.

¹²⁵ Smidt and Strubbe, *Chronologische lijsten* I, 1, 3–130; compare Blockmans, 'Hierarchisering', 275; Van Rompaey, *Grote Raad*, 315–51.

¹²⁶ Van Rompaey, *Grote Raad*, 443–6.

Somewhere between 1474 and 1477, the States of Hainaut complained humbly—‘vostre très-humble et très-obéissans subgez’—to the duke about the conduct of parliament, an innovation that trampled on the traditional rights of the court of Mons, to the destruction of the inhabitants ‘la destruction de vos . . . subgetz et commun peuple’.¹²⁷ This was a prelude to the events that took place following the death of Charles the Bold in January 1477. In the midst of a situation of acute war, financial shortages, and increasing social unrest, the parliament initially appeared to be a source of calm. In the second half of January, when the duke’s death was known, the institution issued a series of decrees.¹²⁸ On 11 February, however, Mary stipulated in the General Privilege that the institution ‘from now onwards would be abolished forever’. The documents relating to cases that were currently being handled should be returned to the provincial or local courts. In its place, an ambulatory Great Council would be set up to operate in close proximity to the duke; the members of this court were only allowed to handle cases that were outside the competence of the provincial council chambers.¹²⁹ This meant that the emphasis was placed on the interests of the party seeking justice and less on the administrative and political rationale of the administration. A significant issue in this respect is the permission regarding the use of language. In parliament, French was the main language, so much so that it was nicknamed ‘het Walsch Parlement’—the Walloon Parliament—but Mary now decreed that court cases should henceforth be conducted in the language of the defendant. The stipulation relating to the origin of the council members is equally significant. The parliament previously had twenty-six council members and petition masters, of whom only five came from the Dutch-speaking provinces, and five from the French-speaking Netherlands. Apart from an occasional Portuguese, all the others came from Burgundy and Franche-Comté.

Twenty-five years later, it became apparent that the concept of ‘forever’ was open to several different interpretations. In 1504, Philip the Fair again established the Great Council in Mechelen, with authorities that exhibited strong similarities to that of the parliament.¹³⁰

6.5 CONCLUSION

According to reports, Charles the Bold acted as chairman at the opening of the Parliament of Mechelen. At this hearing he declared the duke—that is himself—to be wrong. However, this fine symbolism does not stand the test of historical critical examination: Charles was definitely not present at the opening of parliament.¹³¹

¹²⁷ Faider, *Coutumes*, 212.

¹²⁸ Van Rompaey, *Grote Raad*, 135–6.

¹²⁹ Blockmans, ‘Privilege voor alle landen’, 90, art. 1.

¹³⁰ Maes, *Parlement*, 100–4; Gilissen, ‘Grote Raad’, 26–34.

¹³¹ Cockshaw and Dogaer, ‘Valeur’; Van Rompaey, *Grote Raad*, 55; Dogaer, ‘À propos’; Lambrecht, ‘Centralisatie’, 83–4; Champeaux, *Ordonnances des ducs*, CCC–CCCI.

However, the image of the righteous prince who passed judgement without discrimination remains. Even the most up-to-date historical knowledge assumes that justice had a high priority for him. Did he not regard the administration of the law as his personal prerogative, bestowed on him by God, a duty that he intended to fulfil to the best of his ability? Was his ultimate creation, the Parliament of Mechelen, not a model of order and procedural straightforwardness? Was it not the case that all the strands of the legal system in the Netherlands converged in this same institution? This image is true to a certain extent. The dukes and their officers certainly attempted to assume as much legal authority themselves as possible. From 1435 a central legal department gradually developed, and in 1473–4 this endeavour culminated in the parliament. The establishment of council chambers in the provinces and the increasing application of Romano-canonical procedure were also in line with this ambition.

The administration of justice is more, much more, than just self-importance and centralization. It has above all a social function. To understand the developments in the fifteenth century we have to go back to the pre-Burgundian period and look beyond the formal structures of the institutions at the ambitions contained in the charters. An important part of the explanation can be found in the jurisdiction at local level, that could have an impact on every citizen on a daily basis. In the late fourteenth and early fifteenth centuries, the provincial princely dynasties were forced by increasing financial deficits to settle immense debts on the local bailiffs. This had disastrous consequences for the trustworthiness of the jurisdiction. Another part of the explanation is more institutional. The highest jurisdiction and control over the bailiffs was exercised by the prince, assisted by his traditional princely council. This was a hybrid council; it was where the prince, members of his household, feudal nobles, ecclesiastics, and occasionally a stray lawyer met to pass judgement on complex legal issues. The only possible outcome was an unstable, prejudicial jurisdiction and a lack of control.

The representative institutions were probably under the illusion that matters would improve after the assumption of power by the Burgundian dynasty, but this proved to be only partially the case. The rise of Burgundy led to the creation of a relatively structured system of provincial council chambers. They were staffed increasingly often by competent salaried officials who administered their actions and decisions strictly. In time, such institutions were founded in all the provinces. The creation of these council chambers promoted the legal security of the subjects—but this only applied to those who could afford to pay for it. However, the developments in local jurisdiction were less welcome. In the mid-fifteenth century, the dukes of Burgundy too found themselves in financial difficulty. They needed money, a great deal of money, to fund their ambitious foreign policies. The justice system was an important source of income, that had to be exploited as effectively as possible. The struggle between Justice and Mammon was unequal—a solution was found in a policy that was probably even more harmful for legal security than that pursued by their predecessors—the pledging of the local judicial offices.

The centralization of the administration of justice was equally unsuccessful. The Great Council and the Parliament of Mechelen followed a strict procedure and employed academically trained lawyers, but they had little knowledge of provincial and local legal customs and rules. Willem van Berchen from Guelders referred to it as an inhuman foreign idol that had to be worshipped by everyone.¹³² The council members were foreigners, not competent to make legal judgements in provinces that on the basis of reciprocal agreements and mutual oaths had accepted the dukes of Burgundy as their rulers. Even more importantly, this splendid palace was built on the foundation of local jurisdiction that was shown to be rotten to the core.

In 1477, after the death of Charles the Bold, people were back where they started. A new solution had to be found for the familiar problem of jurisdiction and its relation to the government: should this be organized centrally or within the provinces? The viewpoint of the representative institutions at the time of the takeover of power by Burgundy and now, in 1477, was clear: they wanted to have legal institutions with transparent rules that were able to pass reliable, objective judgements. At least in theory the provincial, civic council chambers were able to do this. The acceptable frameworks were provincial, not supra-provincial.

¹³² Noordzij, 'Against Burgundy', 116–17.

7

The Financial Organization

7.1 INTRODUCTION

In early 1465 the normally peaceful streets of Dijon were buzzing with rumours. A number of receivers—and not the least important ones—were suspected of having committed fraud. The names of Jean de Prestin, receiver of the Salins saltworks, and even Hugues de Falletans, receiver-general of Burgundy and Franche-Comté, were on everyone's tongues. It soon became clear that the rumours were true. For reasons that could not be explained, the accounts of Prestin showed a deficit of 36,900 pounds, and those of Falletans 12,300 pounds. The council of finances and the audit offices spent years trying to get to the bottom of the financial malpractices. In the meantime, both suspects were imprisoned in the dungeon of the distant Vilvoorde, just outside Brussels. The investigation took years to complete, but the initial findings were that both men had removed large sums of money from the ducal treasury, and had siphoned this off to an unknown destination. After some time, Prestin's clerk started talking: his master had kept the acquisition of a lead mine in the Black Forest out of the books. This gave Prestin a nice annual income of 2,400 Rhine guilders a year. It was still unclear to what extent Hugues de Falletans had compromised himself. In 1482—seventeen years after the initial accusation—he was cleared of all blame.¹

It was no easy task for the duke to keep control of his finances in the distant *herzogsoffene* and *herzogserne* principalities of Burgundy and Franche-Comté. From Brussels it was virtually impossible to gain an insight into the informal, personal relations and the underhand agreements. The financial network surrounding the receiver-general of Burgundy was built on a centuries-old tradition, and penetrating this network was a complex undertaking. This opportunity was too good to miss, particularly for the ambitious Crown Prince Charles of Charolais, who had just taken over the reins of power: at last the old provincial structures could be dropped. In a charter of 21 December 1465, the '*merveilleuse perte et moult grant domage*'—the unbelievable loss and the very great harm—were put forward as an argument for a complete revision of the financial system of Burgundy and Franche-Comté. The positions of receiver-general and all kinds of local receivers were done away with and they were replaced by a dozen smaller receivers, who worked under the strict control of the Dijon audit office and the council of finances.² A similar

¹ Cockshaw, 'Heurs', 249–50; Dubois, *Charles le Téméraire*, 215; 'Opérateur'.

² Cockshaw, 'Heurs'.

project had already been successfully implemented in Hainaut, and within a few years, the remaining provinces would also be dealt with in the same way.

This chapter deals primarily with the integration of the provincial structures into the financial system of Burgundy. Having taken over power in the principalities, the dukes of Burgundy discovered a financial mess and administrative chaos. In the previous decades the old princely dynasties had let the domains fall into ruin, or they had given them away or pledged them, and they had amassed unmanageable debts. Along with the former dynasties, a government structure disappeared, built up around six or seven princely courts and councils that was barely equipped for a time when the capital of merchants and towns was becoming increasingly important. How did the dukes of Burgundy handle this poison chalice of a legacy? The previous chapters made clear that the union had all the characteristics of a composite monarchy: it was in essence a hotchpotch of very different provinces, and the dukes scarcely succeeded in forging the administrative and juridical traditions into one uniform entity. We will see how the Burgundian government went to great pains to achieve financial unification. And it was fairly successful—although, after 1465, the reorganization of Burgundy and the other provinces would prove to be a complete failure. Integration and reorganization are the main subjects of this chapter; renewal, in the form of imposing structural taxes, will be addressed in Chapter 8.

7.2 RECEIVERS

In the late Middle Ages, the income from the domains was of vital importance to all of the princes. This income was the financial basis for power, and until the late fifteenth century, it dominated all other sources of income. For the dukes of Burgundy there was a lot at stake. The income from the domains and aids represented their working capital, with which they were able to finance their court life and wars. In 1394–5, the dukes of Burgundy still obtained 75 per cent of their income from the domains; in the middle of the fifteenth century, around two thirds. It was not until the reign of Charles the Bold that taxes took on greater significance.³

The princely domain comprised the goods and rights that belonged to a lord (*dominus*) and that formed the basis for the financial, territorial, legal, and political expansion of his principality.⁴ Their composition can only be described as ‘a mish-mash of all kinds of rights’, as the example of Flanders shows:⁵

³ Van den Nieuwenhuysen, *Finances... Économie*, 53; Blockmans and Prevenier, *Bourgondiërs*, 172; Blockmans, ‘Low Countries’, 288–96.

⁴ Leyte, *Domaine*, 54; for Flanders, compare: Soens, *Rentmeesters*, 15–18. In the rest of this chapter we will see that the central position of the prince has to be put into perspective.

⁵ Guenée, *Occident*, 163. For the composition of the domain assets of Flanders, see Van Nieuwenhuysen, *Finances... Économie*, 54 and *passim*. There were also such sources of income *mutatis mutandis* in the other provinces. In Brabant there was a greater emphasis on forestry, in Zeeland on fishing, etc.; Richard, *Ducs*, 329–40 and *passim*; Martens, *Administration*, 137–61; Aerts, ‘Inhoud’ I,

- Agriculture (lease, tithes)
- Water and woods (fishing rights, income from timber)
- Marshes and polders (salt mining and water management)
- Jurisdiction (fines, confiscations)
- Feudal rights
- Trade (tolls, import duties)
- Coinage (seigniorage)
- Industry and mining
- Excise duties
- Common aids (distinct from extraordinary aid)

There may well have been considerable variation in the nature of the incomes, but the financial organization of the principalities exhibited strong similarities (Figure 7.1). The receiver-general or treasurer collected the receipts from the domains and the aids on behalf of the prince. These receipts were in turn amassed by local receivers and bailiffs general or charged their deficits to him.

The receiver-general first appeared on the scene in the thirteenth century. Before then, the domain incomes were collected by the prince himself, or by one of the senior courtiers, the chancellor, or a clerk from the chancellery. From the middle of the thirteenth century the financial administration became so complex that it was necessary to appoint a professional, specialist officer. Unlike their predecessors, these officials were not part of the prince's household; in most cases they came from the urban elites or lower nobility and were chosen for their knowledge of financial administration and for their wealth. This last condition was necessary

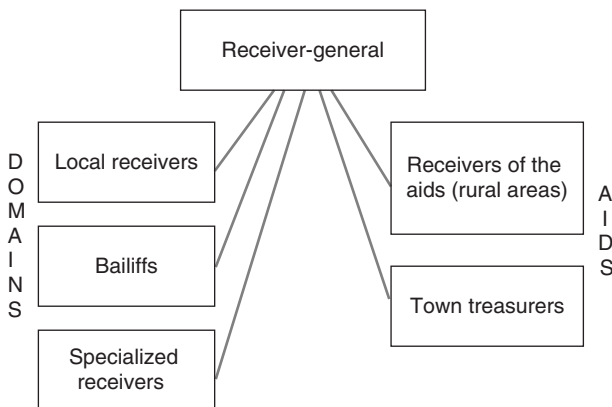


Figure 7.1. Financial organization of the provinces in the late Middle Ages

16–34; Bos-Rops, *Graven*, 21–38; Smit, *Rekeningen* III, 133–74; Bultot-Verleysen, 'Recette'; see also the wealth of information in: Bautier, Sornay, and Muret, *Sources* I, 2; and Bautier, Sornay, and Van Gent, *Sources* I, 1.

because they often had to act as guarantor for the prince's loans.⁶ The oldest mention in the Netherlands relates to the *recheveur de Flandres*, appointed in 1246. A receiver-general was also appointed in Hainaut in 1265; Brabant followed suit in 1271, Namur in 1289, and Luxemburg in 1319. In the southern provinces, the receiver-general made his debut in the second half of the thirteenth century, with the oldest mention in the duchy of Burgundy dating from 1274.⁷ Although incidental mention is made of several predecessors, the post of receiver-general only became a firm feature in the north a century later: a receiver was appointed in Guelders-Zutphen in 1344; in 1358–9 Holland-Zeeland followed with a chamberlain, and later a treasurer.⁸

The receiver-general collected a whole series of incomes, firstly only the general incomes from the princely domains, and later including the extraordinary incomes, from aids and other sources (Figure 7.1). The local receivers of the domains, the bailiffs, the tax collectors, the receivers of the excise duties, the coin masters—all those who were charged with administering some part of princely domains—were required to transfer their surpluses to the receiver-general. As we saw previously, with his specialist knowledge, he rapidly became more than simply a receiver. He became a key figure in the princely administration, involved in the whole financial policy, the bookkeeping, auditing the accounts of the subordinate receivers, and the financing of the prince's debts by means of loans. In the thirteenth century, the Flemish receiver, for instance, was involved in bringing together the diverse incomes of the countess of Flanders, coordinating the financial policies, placing loans and rescheduling the count's debts.⁹ This broader sphere of competence was reflected in Brabant and Holland-Zeeland in a designation as treasurer.¹⁰ A typical example of a holder of this post is the Amsterdam merchant's son Willem Eggert (ca. 1360–1417), who managed to work himself up to become the key person in the count's administration, and one of the most powerful men in Holland and Zeeland.¹¹

At local level the domains were originally administered in line with feudal practices. The Flemish and Holland *notarii*, the Hainaut *ministeria*, the Brabant *villici*, and the Burgundian *chastellains* deputized for their lord, not only in military and judicial affairs, but also in the administration. Territorial receivers holding a more official status appear on the scene from the late twelfth century, fifty years before the receivers-general were appointed. As usual, the oldest mentions are from Flanders and the surrounding provinces of Hainaut and Artois, followed half a century later

⁶ Bos-Rops, 'Kamerheer'. ⁷ Richard, *Ducs*, 418–19.

⁸ Buntinx, 'Instellingen', 367–9; Bos-Rops, 'Kamerheer'; Kittell, *From ad hoc*; Augustyn, 'Ontvanger-generaal'; Boone, 'Overheidsfinanciën', 107–10; Soens, *Rentmeesters*, 43–7; Bruwier, 'Domaine', 506; Martens, *Administration*, 136–52; Richard, *Ducs*, 419; Aerts, 'Financiële contacten', 149–50; 'Ontvangerij-generaal'; Bovesse, 'Personnel', 444–5; Noël, *Quatre siècles*, 164; Reichert, *Landesherrschaft*, 652; Van Gent and Le Bailly, *Gids*, 39.

⁹ Luykx, *Grafelijke bestuursinstellingen*, 63–89; Aerts, 'Ontvangerij-generaal', 208–15; Kittell, *From ad hoc, passim*.

¹⁰ Bos-Rops, 'Kamerheer'.

¹¹ Bos-Rops, 'Willem Eggert'; compare: Martens, *Administration*, 120–5; Richard, *Ducs*, 417–22; Kittell, *From ad hoc, passim*.

by Brabant and Burgundy, and a century later by Namur, Holland, Guelders, and Luxemburg.¹² In one particular area, these territorial receivers managed the revenues of the prince, the market funds, lease, land tax, feudal income, and many other smaller sums. Gradually they grew in number and in around 1400 there was a more or less stable system of territorial receiverships, altogether some 190 in the principalities that would later be part of the Burgundian union. As we will see, this system would be completely reformed in the 1460s and 1470s.

The princely domains were not only administered by the receivers. The receipts from justice, that primarily consisted of fines and confiscations, were also due to the prince and were also considered to be part of the domains. These fell within the responsibility of the judicial officers, the 'bailiffs' whom we came across in Chapter 6. Their primary task was to maintain law and order in the districts allocated to them. It is difficult to indicate the exact number of bailiwicks. In the Burgundian Netherlands, there were around 180 in 1450, and in the duchies of Burgundy and Franche-Comté five and three respectively.¹³ While the competence of the receivers and the bailiffs was above all territorially defined, this did not apply to the third group of local officials. Some sources of income were so specific that they demanded a specialist approach and often also a large capital investment by a single receiver. The task of the mint masters, tax collectors, marsh masters, receivers of port incomes, and such like focused on a particular type of source of income.¹⁴

The receipts were also offset by particular expenses, that in part arose from the receiver or bailiff's work: his salary, travel costs for supervising the domain assets, or payments to a priest or hangman at executions of criminals. They could include these sums directly in their accounts and deduct them from the amount they owed the receiver-general. Just as there were receivers who collected specific incomes, there were also others who were responsible for specific expenditures, such as for the prince's household or for military campaigns.

In order for the control of the finances to be effective, the receivers and bailiffs literally had to give account for their financial activities to the prince or receiver-general. They therefore presented at regular intervals an account, a summary of their income and expenditure in their domain.¹⁵ The oldest accounts date from the twelfth century, from England (1130), Normandy (1180), and Flanders. In this last province a fragment of an account from 1140 and the so-called Grote Brief (Great Letter) from 1187 still survive. In the Empire, the oldest incidental mention

¹² Ganshof, 'Flandre', 420–1; Martens, *Administration*, 260–6; Coppens, 'Meerijen', 627; Richard, *Ducs*, 480–1; Smit, *Rekeningen*, III, 133–4; Kort, *Archief*, 121–2; compare: Bos-Rops, *Graven*, 22; Bruwier, 'Domaine', 502–3; Noël, *Quatre siècles*, 163–5; the situation in Namur was different, in so far as the receipts were collected directly by the receiver-general, who was assisted by sergeants; Bovesse, 'Personnel', 444–5; in Artois the bailiffs also acted as receivers of the domains; Delmaire, *Compte général*; Kuys, 'Financiële instellingen'.

¹³ Stein, 'State's officers'; Bautier, Sornay, and Van Gent, *Sources I*, 1, *passim*; Bautier, Sornay, and Muret, *Sources I*, 2, *passim*; Gresser, *Franche-Comté*, 269–73.

¹⁴ See for an overview: Soens, *Rentmeesters*, 47–50; Bos-Rops, *Graven*, *passim*.

¹⁵ For a definition: Van Caenegem, Ganshof, *Guide*, 107–8; 'Accounts between public authorities and their officials... who were responsible for certain sums and were obliged to provide proof of expenses incurred in their professional activities'.

of *computationes* also dates from the middle of the twelfth century (1166).¹⁶ There was no systematic, continuous recording of income and expenditure in the Netherlands until the late thirteenth century and the first half of the fourteenth century, and from 1350, we have a continuous series of accounts of a receiver-general for almost all the principalities. Moreover, most local receivers and bailiffs submitted accounts for their work.¹⁷ The accounts were not intended to form the basis of a budget; their main purpose was to record the balance of finances between the prince and his officers. In this sense the accounts have a legal significance, in the same way that a charter might have.¹⁸ The first part of the accounts recorded the receipts and the second part the expenses. A *Summa summarum* indicated the receiver's or bailiff's surplus or deficit.¹⁹

It goes without saying that the Burgundian assumption of power brought about changes in the existing system. We saw earlier how from the 1370s, first a number of treasurers and from the middle of the fifteenth century all kinds of commissions were introduced to determine financial policy. At the same time, as a logical step in the receipt of the incomes, a central receiver-general was appointed (Figure 7.2). In 1372 Robert d'Amance, appointed by Philip the Bold, was the first person to carry the proud title of *receveur de toutes les finances, tant ordinaires comme extraordinaires*, namely those of Burgundy and Franche-Comté.²⁰ From 1387, d'Amance and his successors collected and centralized the incomes from the northern provinces as well.²¹ In the fifteenth century, the receivers of the newly acquired principalities were also included within this hierarchy.²² Receipt of the domain incomes now took place in two steps: the local receivers, bailiffs, etc. transferred their income to the provincial receivers, who in turn passed them on to the receiver-general of all finances.

In the middle of the fifteenth century, the dukes of Burgundy found the activities of a central receiver-general too formal. In around 1445, in addition to the post of receiver-general, a new office was introduced, namely controller of the duke's private treasury; this official could meet all the duke's wishes without time-consuming administrative red tape.²³ He was also originally designated as keeper of the jewels, in French *garde de l'Épargne*. Particular types of income were ascribed to the *Épargne*—including the duties connected to the ducal seal and seigniorage.²⁴ In 1468, the *Épargne* was abolished, and at the same time, the financial system was revised. After this the expenditures were entrusted to an

¹⁶ Mersiowsky, *Anfänge*, 79.

¹⁷ Mersiowsky, *Anfänge*, 52–60; Van Caenegem, Ganshof, *Guide*, 107–8; Lyon and Verhulst, *Medieval finance*; Sivéry, 'Evolution'; Brokken and De Schepper, 'Beheer', 31–2.

¹⁸ De Boer et al., *Rekeningen*, XXX–XXXV; Bos-Rops, *Graven*; Faber, 'Ambtenaar', 184.

¹⁹ De Schepper, 'Beleid', 23–4; Thissen, 'Landsheerlijke rekeningen', 134–5.

²⁰ Pocquet du Haut-Jussé, 'Chefs', 32–45; Van Nieuwenhuysen, 'Documents', 135–6; Richard, 'Institutions', 231–2.

²¹ Mollat, 'Recherches', 288; Coppens and Aerts, 'Ontvangerij-generaal'.

²² De Schepper, 'Beleid', 18.

²³ Mollat, 'Recherches', 289; Garnier, 'Services'.

²⁴ Initially the *Épargne* only centralized the revenues from Flanders and Burgundy. In 1459 its territory was extended to include Brabant, Limburg, and Overmaas; in 1463 Hainaut, Holland, Zeeland, Friesland, Luxemburg, and Namur. Kauch, 'Trésor d'Épargne'; Aerts and De Schepper, 'Geheime schatkist'.

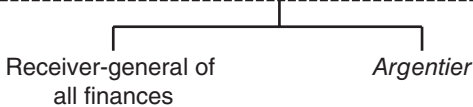
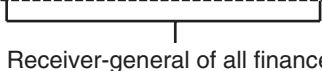
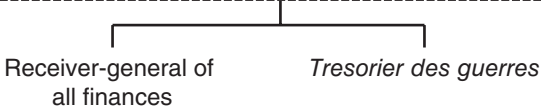
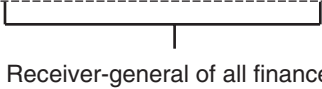
Year	Revenue	Expenditure
1386	Receiver-general of all finances	
1445	Receiver-general of all finances + Garde de l'Épargne	
1468		
1471		
1474		
1477		

Figure 7.2. Development of the office of receiver-general in Burgundy, 1386–1477

argentier and the receiver-general was responsible only for the revenues. In 1477 the original situation was reinstated.²⁵

At provincial level, in the first instance, little changed with the advent of the Burgundian dukes. Most of the provincial offices of receiver-general continued to

²⁵ Coppens and Aerts, 'Ontvangerij-generaal', 538; Greve and Lebailly, *Comptes*, XIII–XIV.

exist with a few minor modifications.²⁶ In the middle of the fifteenth century, there were seven receivers-general under the authority of the chief receiver-general of all finances: Burgundy-Franche-Comté, Flanders-Artois, Brabant-Limburg, Holland-Zeeland, Hainaut, Namur, and Luxemburg. There was also continuity in terms of the staff who held these posts. In most cases the dukes retained the original receivers-general, although the effectiveness of this policy did give rise to some doubts. When Philip the Bold succeeded in Flanders in 1384, he extended the appointment of Hendrik Lippin. Just one year later, the investigation committee complained that his bookkeeping methods were full of *erreurs, fautes en inconveniens*. As a result he was rapidly replaced by Jacques de Screyhem.²⁷ Things also went wrong in Brabant. Initially, in 1430 Philip the Good kept Jan Baillart from 's-Hertogenbosch as receiver-general. For reasons that are unclear, Jan refused to submit his accounts to the audit office. Jan's possessions were confiscated and he ended up in prison in Brussels. Almost twenty years later, in 1449, the elderly and impoverished officer wrote a final appeal to the masters of the Brussels audit office, requesting them to close his account. He was succeeded by Jan van der Eycken, who had wide experience in the Brabant audit office.²⁸ Things did go well in Burgundy, where Philip the Bold retained the long-serving Dimanche de Vittel until 1367, and in Holland, where the Leidener Boudijn van Zwieten was appointed treasurer in 1425. By then he had already spent a year in the service of John of Bavaria and continued to serve his new master until 1430.²⁹ In Hainaut and Luxemburg, following the takeover of power, Philip the Good immediately appointed new officers to this crucial post, respectively former mint master Jean Rasoir from Valenciennes in Hainaut, and Lieven van Ieper, who probably had Flemish roots.³⁰

More importantly, the nature of the post of receiver-general in the provinces changed. With the disappearance of the former princely courts and the councils, they lost their administrative authority. They were no longer as policy makers the governing factor in the prince's finances; this role was assumed by the privy council, the treasurer, and later the council of finances. The provincial receivers became simply the implementers of ducal policies, whose job was primarily to collect the revenues from the domains and the aids. On the other hand, during the Burgundian period, the growing revenues meant that their financial significance increased.

The effect of the centralized administration on the provincial and local financial structures was felt strongly in the sixties and seventies. A number of ambitious and capable committees changed the structure of the receiverships and revoked the

²⁶ In 1382 the receivership of Artois was combined with that of Flanders, and in 1386 Philip the Bold put the county of Franche-Comté under the authority of the duchy of Burgundy. Van Nieuwenhuysen, *Finances... Économie*, 145.

²⁷ Ibid.

²⁸ Aerts, 'Inhoud' II, 168 and n. 11; compare Uyttebrouck, *Gouvernement*, 657–8; Kauch, *Administration*, 309, 313; Baillart's account was indeed closed in 1451. Aerts, 'Financiële contacten', 169.

²⁹ Pocquet du Haut-Jussé, 'Chefs', 15–26; Van Kan, 'Boudijn van Zwieten'; Damen, *Staat*, 500–1.

³⁰ Bruwier, 'Notes', 134; Van Werveke, 'Notice', 266.

accountability obligation for the bailiffs, thus overturning the whole financial system. A first step was made in 1463, in the relatively peripheral province of Hainaut. On 4 August of that year, Philip the Good decided to abolish the office of receiver-general of Hainaut. This reform was not limited to the highest provincial receiver, but also eliminated the thirteen local receivers. To replace this group, four new receivers were appointed, whom I will refer to as district receivers.³¹ In December 1465 the duke took a similar decision for Burgundy and Franche-Comté. We saw in the introduction to this chapter how receiver-general Hugues de Falletans was discredited. Crown Prince Charles took the opportunity to appoint ten and later twelve district receivers, to replace the sixty-one domain receivers and the corrupt receiver-general. In the first instance this project ran aground, but in 1468 it was revived, this time with success.³² The new system was introduced successively into the other Burgundian provinces between 1469 and 1472 (Table 7.1).³³ After the annexation of Guelders and Zutphen in 1473 the traditional system of receivers was also discontinued and the district receiverships of Arnhem, Nijmegen, Roermond, and Zutphen were introduced.³⁴ The reorganization had serious consequences. Table 7.1 indicates the number of domain receivers for the most important Burgundian provinces. Between 1463 and 1474 the number of receivers decreased from 198 to 45, a reduction of more than 75 per cent.

Table 7.1. Reform of the receiverships in the Burgundian provinces³⁵

Province	Original situation		Innovation	
	Receiver-general	Domain receivers	Date of innovation	District receivers
Hainaut	1	13	4 August 1463	4
Burgundy, Franche-Comté	1	61	December 1465; 28 January 1468	12
Flanders	1	32	1 March 1468	4
Artois	—	13 (including bailiffs)	1 March 1468	4
Namur	1	10	30 June 1469	3
Holland	1	15	1 October 1469	4
Zeeland	—	3	1 October 1469	3
Brabant	1	14	22 December 1469	4
Limburg, Overmaas	—	5	22 December 1469	1
Luxemburg	1	8	27 December 1472	2
Guelders	1	16	28 April 1474	4
		198		45

³¹ Coutiez, 'Part', 117–18.

³² Bartier, *Légistes*, 170–2; compare: Gresser, 'Réforme'.

³³ Arnould, 'Séjour', 33, n. 52.

³⁴ Kuys, 'Financiële instellingen', 46–8.

³⁵ Gachard et al., *Inventaire Chambres* II, 23, 28, 32–3, 48; Bautier, Sornay, and Muret, *Sources* I, 2, 281, 416–47, 426, 690–3; Stein, 'Burgundian bureaucracy', 17; Bartier, *Légistes*, 170–2; Cockshaw, 'Heurs'; Bruwier, 'Notes'; Coutiez, 'Part'; Cauchies, *Législation*, 548–9; Arnould, 'Séjour', 32–3; Van Cauwenberghe, *Vorstelijk domein*, 33–4; Aerts, 'Inhoud' II, 33–4; Van Gent and Bailly, *Gids*, *passim*; Van Hasselt, *Oorsprong*, 80–105; Kuys, *Ambtman*, 163; *Drostambt*, 47; Venner, *Inventaris*, 9.

There were three reasons for implementing this policy. The first was the need to make economies, as Charles the Bold indicated in the preamble to the Brabant regulation: 'To restrict the large number of his receivers in Brabant, whose salaries amount to great sums, at his cost'.³⁶ Further study is needed to show the financial effect of this measure. The only regions for which we have an estimate are the southern provinces of Burgundy and Franche-Comté. Abolishing the system of district receivers reduced the expenses by approximately 1,850 pounds. The total expenditure in the accounts for 1466–7 amounted to 47,587 pounds. The operation thus provided a saving of around 4 per cent.³⁷ Secondly, there was the problem of the scant discipline of the local receivers, which meant that there was no overview of the finances. We have already seen that there was large-scale fraud in Burgundy and Brabant, and in all probability, this was also true of the other provinces. Thirdly, there was the administrative argument. Combining two levels of the hierarchy meant that the organization became flatter, and consequently easier to manage and monitor. For the council of finances, it was now much simpler to implement an effective financial policy.³⁸

Almost at the same time as the receiverships were reformed, there was a second change that had great significance for the princely domains: the pledging of the bailiwicks that was discussed in Chapter 6. Until the middle of the fifteenth century, the bailiwicks generally operated by submitting accounts. The bailiffs were required to account for the fines that had been imposed and the private settlements they had reached once or twice a year. However, it was virtually impossible for the government to check the reliability of their accounts. Only the bailiff himself knew how often he had fined people, for threatening behaviour or drawing a knife, for example, or how often he had made a private arrangement with a miscreant. In practice, the bailiwicks had turned into small private businesses. As early as 1448 Philip had complained about the 'negligence et non schaloir' of the bailiffs, that resulted in not declaring a large part of their income in their accounts. In 1456 the Lille audit officers complained to the Flemish bailiffs that they were now reporting just 6,000 to 8,000 pounds while in around 1400 their predecessors had reported an income of between 30,000 and 36,000 pounds.³⁹

There were more ways of running the office of bailiff than by submitting accounts. Another option was to pledge the office, as was common practice in France.⁴⁰ In 1469 Charles the Bold introduced this system in his provinces, and once Guelders had been annexed, this practice came into force there too.⁴¹ The county of Holland can serve as an example. By a decree of 24 August 1469, the duke ordered all the offices of bailiff, steward, and clerk, as well as the chair of the water-board (*dijkgraaf*), to be pledged by auction for a period of six years. A public auction

³⁶ Gachard et al., *Inventaire Chambres* II, 23; compare: Vaughan, *Charles the Bold*, 188. No motivation is given in the Hainaut ordinance: Coutiez, 'Part', 137–8.

³⁷ Gresser, 'Réforme', 43.

³⁸ Coutiez, 'Part', 117–18; Cockshaw, 'Heurs', 249–51 and *passim*.

³⁹ Van Rompaey, *Grafelijk baljuwsambt*. Publication of the text from 1448: *ibid.*, 569–72; in 1473 confirmed by Charles the Bold: Vaughan, *Charles the Bold*, 177.

⁴⁰ Guillot et al., *Pouvoirs*, 294.

⁴¹ Van Veen and Schilfgarde, 'Raden', 35; Kuys, *Drostambt*, 52.

determined the amount that the winner, the person who would become the bailiff, had to pay annually to the government, in return for which he could hold the post for six years. These public auctions must have been spectacular events. The procedure is described in detail in the ordinance. The auction generally took place in a centrally located tavern. First the receiver would light a candle and then the bidding could begin, back and forth, with the tension rising as the candle burned lower, until the flame went out and the person to issue the last bid was declared the winner. He had two weeks to consider the matter and then a second session would be held when the parties really got down to business. The person to make the highest bid after this second session could hold the office for six years. After this, the job of the government was easy. The bailiff simply had to swear an oath on appointment and pay the agreed amount of the pledge every year. There was no need for any further financial reporting or auditing.

Bailiwicks were open to everyone; serious contenders could bid for the office, but so could gamblers, encouraged by the fact that the bidders received part of their bid back from the eventual winner. The system caught on. When the Holland bailiwicks were pledged again six years later, the final pledges were on average 44 per cent higher than in 1469.⁴² This can be seen as a spectacular success, but equally it can be regarded as a scandalous pushing up of prices. The current state of research does not make it clear whether the consequences of the measures were as serious elsewhere as in Holland, but it is a fact that in the mid-seventies, all the bailiwicks in Holland, Flanders, and Brabant were pledged.⁴³ Chapter 6 showed that this policy did not safeguard the legal security of the subjects, but its financial success was evident. A memorandum dated 1477 from the Brabant audit office points out the effectiveness of pledging in comparison with services being paid for on account. They estimate that the income was 2,400 pounds higher—around 9 per cent of the domain revenues:

Those holding the offices [of justice] mentioned before, reported so little of the fines and profits in their accounts that it was unlikely that the rights of the duke were served faithfully. This became very clear when these offices were pledged, and generated 2,400 pounds more per year than when they previously submitted accounts.⁴⁴

That could well be correct. Calculations have been made for the income from the bailiwick of Gouda in Holland. In 1467–8, under the system of submitting accounts, the income from administering justice, excluding the expenditure, amounted to 154 pounds. This bailiwick was not part of the wave of pledges in 1469, but in 1475 one individual was prepared to pay the receiver an annual sum of 600 pounds: almost four times the income from the fines.⁴⁵

The changes to the financial organization have been attributed to Charles the Bold.⁴⁶ There is no doubt that Charles supported the reforms wholeheartedly, and

⁴² Van der Wal, *Eenmaal*, 33–4, 41.

⁴³ Stein, 'Burgundian bureaucracy', 20–3; Van Rompaey, *Grafelijk baljuwsambt*, 371.

⁴⁴ Van Uytven, '1477', 276; 'Blijde Inkomst', 363–4; Arnould, 'Premier budget', 262; compare Boone and Brand, 'Ondermijning', 12, 19.

⁴⁵ Van der Wal, *Eenmaal*, 33–4, 41.

⁴⁶ Dubois, *Charles le Téméraire*, 215.

it is possible that the large-scale pledging of the bailiwicks was his idea. However, he was certainly not the *auctor intellectualis* of the reorganization of the regional receiverships. The first changes took place in 1463 when Charles was embroiled in a dispute with his father and was in exile in Holland.⁴⁷ Not only this, the first attempt at reform of the receivership of Burgundy took place when Charles had only just returned to the centre of power.

After Charles' death, both new measures were reversed: the provincial receivers-general were restored, and the bailiffs again had to submit accounts. The reason for abolishing the system of pledges is clear: it had a negative impact on legal security. The reason for abolishing the district receiverships and reintroducing the provincial and local receivers' offices is much less clear. It is possible that the provincial States insisted on this, but there is no concrete evidence to support this hypothesis; in the provincial privileges there are in any event no clear stipulations relating to this.⁴⁸ Only the Luxemburg town privilege of 8 February 1477—that a month later was made applicable to the whole of the duchy—consents to the former receiverships being restored, and the Zeeland privilege refers to the 'old customs' of the island of Tholen.⁴⁹ This indicates that it is improbable that the change took place exclusively at the request of the States. So why did it take place? It was probably related to the overburdening and the inadequate functioning of the district receivers, which led to further dismantling and alienation of the ducal domains. In a torrent of verbosity, Mary explained on 10 June 1477 that she had abolished the system of district receivers in Brabant because they:

Disadvantage and restrict us greatly and in many ways, and then above all because the four district receivers mentioned before are not as capable as they should be or not in a position to ensure our rights, our lordships, and domains, whereby our land rents, annuities and other rights and domains are ignored or obscured, are poorly maintained or become alienated.⁵⁰

However, there could well be another, more pragmatic explanation. The structure of the receiverships was very significant for the prince if he wanted to encourage a close bond between himself and the provincial elites. This system meant that, not only could he exercise influence over his devoted followers at local level, he could also use his right to appoint officials to reward or create loyal followers. The economies in the sixties and seventies had drastically reduced the number of available positions and increased the distance between the local elites and the receivers.

⁴⁷ Bonenfant and Stengers, 'Role'; Blockmans, 'Crisme', 79–80; Vaughan, *Philip the Good*, 340–4; Arnould, 'Séjour', 32–3.

⁴⁸ For the vague indications, see: Blockmans, 'Privilege Vlaanderen', 129–30, art. 1; Jongkees, 'Groot privilege', 222–3, art. 16. (Holland) and art. 40 (Zeeland).

⁴⁹ Petit, 'Luxembourg', 391; the Zeeland version of the Holland privilege: Smit et al., *Bronnen Zeeland I*, 332, no. 978, art. 40.

⁵⁰ Brussels AR, CC 2424/I, f. 1r–2v. Mary and Maximilian put forward a similar argument on 17 November 1479 at the time of the restoration of the receiverships in Holland and Zeeland. The Hague NA, Rekrek 175, f. 2r–3r.

Particularly in the difficult early years of Mary and Maximilian this represented a considerable threat to the prince's power.⁵¹

So, we are back to square one. A century after the appointment of the first receiver-general of all finances, the Burgundian government's success in centralizing the financial system proved to be limited. It is true that there was a centralized command structure, the payment orders were issued directly by the central administration, and of course the finances ultimately went to this same administration, but the structure of the receiverships was unchanged. The old provincial receivers-general continued to be the cornerstone of a system that comprised a long series of local receivers and bailiffs, as had been the case at the time when the Burgundian dukes assumed power.⁵² The prince and his subjects had together decided that this was the most effective—or possibly the most desirable—form of organization.

Does this mean that the financial system did not change in this period? No, certainly not. Essential renewal took place at a different, rather minor level of abstraction, that of bookkeeping, with the implementation of a strict control of the accounting officers, as a result of the establishment of a watertight system of audit offices.

7.3 AUDITING THE ACCOUNTS

It would be difficult to think of a less poetic subject than an account, a summary of receipts and expenses. Yet, the Holland writer and reciter Willem van Hildegarsberch wrote a poem in 1400 or thereabouts improbably entitled 'Van der rekeninghe', about the account. Of course, he was not interested in the folios filled with dry calculations of rents, excise duties, travels, messengers' wages, court festivities, and such like, but with man's accountability at death. He anyway discussed the bailiffs, receivers, and toll collectors who managed the assets of the count of Holland, and kept track of his receipts and expenses. Once a year, according to Willem, they were summoned to the prince's council, comprising wise members, to show that they had managed the count's affairs conscientiously. 'To ensure that the account remains in force, the lords include wise members in their council, who consider what is reasonable and what should be rejected'.⁵³ We have to give Willem some poetic licence, and consider that he probably proclaimed his text before the count's council, but even so, the image he presents seems to be highly rose-tinted. In 1456 Philip the

⁵¹ This seems to follow from the ordinance of 15 September 1477, directed at all the Burgundian lands, in which Maximilian recognizes the previous appointment of a series of officers by Mary. The Hague NA, Rekreg 3, f. 93v–94r.

⁵² For Holland: Damen, *Staat*, 87. An earlier attempt at reorganization was annulled by Maximilian on 16 September 1477: Limburg-Brouwer, *Boergoensche charters*, 145. Compare for Namur: Gachard et al., *Inventaire Chambres* II, 48; for Burgundy and Franche-Comté: Cockshaw, 'Heurs', 256–7.

⁵³ 'Ende om dat rekeninghe blijft ghestade / Soe nemen die heren tot horen rade / Wise luden, diet voerzien / Wat by reden mach geschien / Off wat men schuldich is te laken.' Hildegarsberch, *Gedichten*, LXXVI, vs. 59–63.

Good sketched a much less positive picture of the way that the accounts of Holland were audited in former times. As a result of negligence and lack of proper administration, he and his predecessors had permanently alienated countless domain goods, 'because at that time no orderly and established method was used to audit our accounts'.⁵⁴

Both Willem van Hildegaersberch and Philip the Good point out the importance of proper control of the officers and their accounts. And rightly so. No command structure whatsoever can function if there is no monitoring of the compliance with the rules; this is particularly so with finances where the dividing lines between mine and thine, between public and private, are very narrow, even today. This verification traditionally took place in the prince's council, in the presence of the receiver-general, a number of important nobles, and sometimes even the prince himself. They followed a simple procedure to check whether the receiver had managed his lord's domains in good conscience. This was important for the prince, but equally so for the officer in question. In many cases he had advanced his lord a large sum of money in order to be appointed, and it was when his accounts were audited that these sums were reconciled.⁵⁵ Moreover, if problems were discovered, sanctions could be imposed, varying from fines to dismissal and imprisonment. In such cases it could take years before the accounts could be closed.⁵⁶

In the French principalities the counts and dukes had their own way of looking after their financial affairs. For the duchy of Burgundy a journal from 1273–85 contains the oldest traces of financial control, although this was still a long way from any institutional system. The chamberlain, several nobles, and sometimes the duke still assembled in varying combinations to examine whether the receivers had not been too greedy. In 1306 this changed somewhat, when Duke Robert II was succeeded by his underage son Hugh V; now the accounts were audited by a permanent group of courtiers: the duchess, the chancellor, the chamberlain, and the senior cup bearer. A bigger change took place in the thirties, when the sources mention specialist auditors, *maistres des comptes*, *auditours des comptes*, and even a *chambre des comptes*, the hall where the accounts were audited. The developments in Flanders were similar to those in Burgundy. A specialist clerk for the accounts was appointed there for the first time in 1318.⁵⁷ The oldest-known concrete mention of a form of institution dates from 1349, when a commission is mentioned comprising officials and lawyers, who audited the different accounts. In the following

⁵⁴ 'Omdat men doe geen geordeneerde ende geoirloefde regele en hilt, opt hooren ende audicy van onser rekeningen': The Hague NA, Rekreg 1, f. 62r–62v.

⁵⁵ For Holland this system has been analysed by Bos-Rops, *Graven*, 77–82 and especially Table 8, 112–14, 156–61, and appendix 3 (319–31). For its applicability to other provinces: *ibid.*, 228.

⁵⁶ Aerts, 'Financiële contacten', 163–70; Brokken and De Schepper, 'Beheer', 34–8.

⁵⁷ Monier, *Institutions financières*, 61–4; Rogghé, 'Over twee grafelijke bestuursraden', 619–24; Buntinx, *Audientie*; Ganshof, 'Flandre', 425–6; Nowé, *Baillis*, 186–93. A limited form of institutionalization had already taken place in Flanders in the twelfth century, by a group of the count's council members led by the chancellor, who audited the accounts of the receivers in the agrarian domains. This 'Chambre des renenghes' continued to exist until the end of the *ancien regime*, but from 1389 it was held in the audit office in Lille; Declercq, 'Kamer'.

year there was a secretary who dealt specifically with the accounts of all those required to submit them.⁵⁸

The function of auditor became a specialist post in the principalities belonging to the Empire in the fourteenth century as well, although it by no means reached the level of Burgundy or Flanders. Before the Brussels audit office was set up in 1404, the Brabant accounts were generally audited by the receiver-general, assisted by a number of members of the duke's council—sometimes with the duke himself in attendance—and from 1364 by a small administrative staff. When the bailiffs presented their accounts, in many cases the steward (*seneschalk*) was also present.⁵⁹ This was far from effective. The chaotic state of the records, the corruption, and the lack of any serious control are clearly revealed in a memorandum from the end of 1395. The old duchess had completely lost grip of what was happening and two ladies-in-waiting acted on her behalf. In collusion with the receiver-general, large parts of the ducal domains were diverted elsewhere without anyone being any the wiser.⁶⁰ In Hainaut, Holland, and Zeeland, the auditing of the accounts was traditionally entrusted to the council of the count. At the time of John of Bavaria (1420–5) this task was still carried out by a motley crew, consisting of the treasurer, several officials, and a large number of nobles.⁶¹ The first mention of auditing the Guelders accounts dates from 1307, as elsewhere this was carried out by the council of the prince. This method of control also proved ineffective. The Guelders officer Johan van der Donck was able to commit fraud undisturbed for twelve years from 1443 to 1454 before his deception was discovered.⁶² It was under Duke Adolph (1465–71) that there was first a form of specialization, when *magistri computationum* were appointed, generally from the Chancellery.⁶³ All in all, at the time of the takeover of power by Burgundy, control of the domain management was only reasonably in order in the 'French' provinces of Burgundy, Flanders, and Artois. Although Franche-Comté was within the Empire, because of the personal union with Burgundy, the province also had an effective system of bookkeeping.

An auditing system organized around the prince's council was only moderately effective, as can be seen from the fact that parts of the domain sometimes disappeared without trace. Undoubtedly this was because the council members—or their friends or relations—often acted simultaneously as receivers and were therefore not in the least interested in any form of strict auditing. This can be illustrated by the resistance of the powerful Brabant nobleman Jan van Grimbergen, Lord of

⁵⁸ He audited: 'Tous les comptes de nos renenghes, de nos baillis, de nos receveurs, de nos villes, chastellenies, de nos chastellains, de nos despens d'ostel et à toutes autres comptes quelconques que on fera à nous et à nos gens': Blockmans, 'Contrôle', 298.

⁵⁹ Uyttebrouck, *Gouvernement*, 367; Kerremans, *Étude*, 281–93; Martens, *Administration*, 325–6; Brokken and De Schepper, 'Beheer', 21.

⁶⁰ Graffart and Uyttebrouck, 'Quelques documents', 70, 97, art. 4.

⁶¹ Van Riemsdijk, *Tresorie*, 119–20; Smit, *Rekeningen* III, 224, 229–30; Bos-Rops, *Graven*, 53–6, 317–18; Brokken and De Schepper, 'Beheer', 37.

⁶² Kuys, 'Financiële instellingen', 46; 'Ambtman'; for Luxemburg compare Reichert, *Landesherrschaft*, 702–3.

⁶³ Kuys, *Ambtman*, 70–3; Kuys, 'Financiële instellingen', 39–46.

Asse, against the interference of the new audit office. In 1415, when he was appointed as treasurer-general of Brabant, he managed to negotiate that his accounts would not be subject to written evidence, but that they would establish the reliability of the reporting as friends together in the ducal council: 'Without applying the strict method and practice that were common in our Audit Office to date, where use was made of documentary evidence and the legal force of letters, he has to demonstrate how matters had gone on the basis of good people and with full trust'.⁶⁴ Five years later, the same Jan van Grimbergen was convicted of corruption and was sentenced by the States of Brabant to a long exile.⁶⁵

After their takeover of power, the dukes of Burgundy implemented a much stricter control of the accounts. This was carried out by four audit offices (*Chambres des Comptes, Rekenkamers*), located in Dijon, Lille, Brussels, and The Hague (Figure 7.3). These audit offices applied a system of accounting derived from the royal administration in Paris. The introduction of this system did not involve great foundation charters, but depended on the deployment of a very limited number of dedicated officers. In Paris, in the second half of the thirteenth century, the accounts were audited by an institution that operated more or less independently of the court. A first indication of this dates from 1256, when King Louis IX ordered the inhabitants of several Normandy municipalities to present their accounts *ad nostras gentes que ad nostros compotos deputantur*. When a *camera computorum* was reported in 1292, in the fortress of the Templars, the existence of an audit office was a fact. In 1293–4 the institution and its archives were transferred to the Louvre.⁶⁶

The Paris system was introduced in Burgundy in the mid-fourteenth century, when French King John II the Good acted as guardian to the underage Philip of Rouvres. In 1351 three Parisian receivers were sent to Dijon to audit the accounts there, together with provincial dignitaries (Figure 7.4).⁶⁷ A room was made ready for them in the duke's palace, and a tower was emptied to make room for storing the documents.⁶⁸ In the first instance, the accounts for the duchy of Burgundy as well as those for Franche-Comté were audited in Dijon. Following the death of Philip of Rouvres in 1361 these two provinces were again separated; the Dijon audit office limited its activities to the duchy, and the auditing activities in Franche-Comté reduced to a questionable level. Following reunification in 1369, it again proved necessary to create order in the administrative chaos. The receivers in Dijon complained about the working methods of the Franc-Comtois receiver-general Jolis le Gray. His accounts were 'mal ordonné' and 'senz ordre de chapitre' and the receivers refused to approve the accounts. Jolis was replaced by Thibaut Billaut, who was better able to handle structure and order. This led to a definitive introduction of the Paris system in both southern provinces. In Lille, too, there was a specialist

⁶⁴ Brussels AR, CC 2358, f. 2r–4v; Uyttebrouck, *Gouvernement*, 386–403.

⁶⁵ Brussels AR, MD 1483, f. 44r–44v. Compare the opposition of the Flemish receiver-general Thomas Fines in 1315 to the auditing of his accounts; Santamaria, *Chambre*, 36.

⁶⁶ Lot and Fawtier, *Histoire* II, 199–200; Lalou, 'Chambre'.

⁶⁷ For the individuals mentioned, see: Prevost, *Personel* II, 54–5, no. 23, 206, no. 82, 634–6, no. 247.

⁶⁸ Richard, *Ducs*, 441–7; Gresser, *Franche-Comté*, 208–12.



Figure 7.3. Auditors of the *Chambre des comptes* of Paris (ca. 1450). Paris, Archives nationales AE II 523

institution as early as 1382 that held its hearings in the *Chambre des Comptes* and audited the accounts of Flanders, and from 1385, those from Artois too.⁶⁹

The acquisition of the Flemish inheritance in 1384 faced Philip the Bold with a dilemma: to centralize or not to centralize? Was it possible to maintain an audit

⁶⁹ Van Nieuwenhuysen, 'Documents', 73; Rey, 'Marguerite de Flandres', 252–3; Dijon ADCO, B 1418, f. 1r; Vaughan, *Philip the Bold*, 128; Bautier, Sornay, and Muret, *Sources* I, 2, 246; Jassemin, 'Contrôle', 132–3.

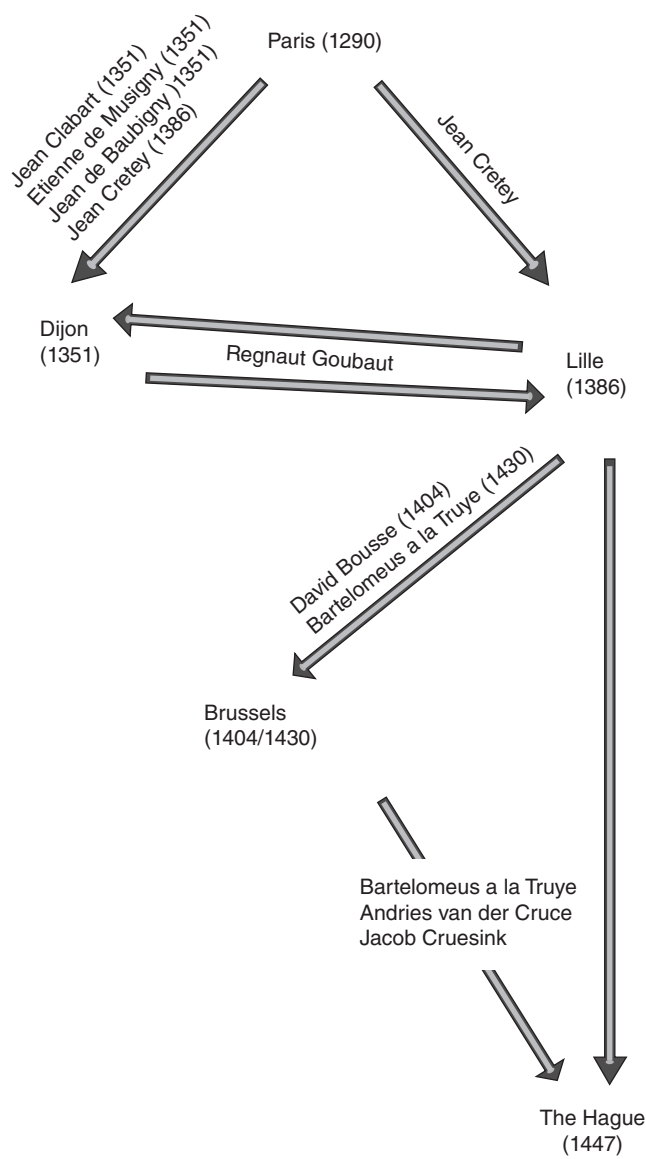


Figure 7.4. Officers involved in the establishment of the audit offices in Dijon, Lille, Brussels, and The Hague

office in Flanders and in Burgundy at the same time? Could the receiver of the domains at, for instance, Schellebelle near to Ghent, be forced to travel to Dijon? For the minor officials in particular, the audit office was inaccessible and consequently unusable; at the same time, the long distance meant that effective auditing

by the receivers *in situ* was impossible.⁷⁰ The commission that examined the state of the domains in Flanders and Artois in 1385 had clear advice for the duke: he should establish a second council in Lille, to provide for the jurisdiction, as well as to audit the accounts of Flanders, Artois, and the other regions in the north. The commission envisioned two accounting masters for this last task: 'Item, at least two people are needed to audit the accounts of the lands and places mentioned, and these persons should have a permanent seat in the audit office'.⁷¹ Indeed, with his famed decree of 15 February 1386, Philip confirmed the existence of a council chamber and audit office in Lille. For Henri Pirenne this was one of the major steps in the development of the modern state, 'le point de départ d'une ère nouvelle dans l'histoire constitutionnelle de la Belgique', he commented.⁷² All in all, this did not represent a complete renewal, but rather a stricter organization of the existing structures and a precise application of the procedures.

Being a son of the French King John the Good, Philip the Bold was keen to draw inspiration from the example of Paris. Jean Cretey, who had been a clerk since 1364 and who was later to become audit master, travelled with clerk Oudart de Trigny from the audit office in Paris to Lille and Dijon to organize the audit offices there or to restore them to their former glory (Figure 7.4). It was no coincidence that this task fell to these two masters: both were fully up to date with the *stiles et ordonnances*, the techniques of bookkeeping.⁷³ Ultimately, the influence of Paris in the financial affairs of Lille would be guaranteed by the appointment of Jean de Pacy, a former clerk at the Paris receiver's office. Later, there would continue to be direct contact between the audit offices in Dijon and Lille.⁷⁴ In institutional terms, in 1386, both were a mirror image of one another. This is apparent not only from the contacts between the two offices, but rather that both institutions had almost identical regulations. A more extensive ordinance dated 11 July 1386, sets out in forty-two articles a precise indication of what was expected from the audit office in Dijon. This document determined the working hours of those who were employed there and even more importantly their official obligations: the accounts that they were required to audit, the documentary evidence that was needed, the procedures that had to be followed, and the documentation that they themselves had to keep. The archives of the Lille audit office contain an almost identical ordinance.⁷⁵

⁷⁰ For the district covered by the audit office in Dijon, see: Bautier, Sornay, and Van Gent, *Sources* I, 1, 167–8. The council chamber in Dijon was established six months later than that in Lille; Richard, 'Institutions', 220, 234.

⁷¹ Van Nieuwenhuysen, 'Documents', 206–9, art. 37–42.

⁷² Bonenfant et al., *Recueil* I, 143–5; Pirenne, *Histoire de Belgique* I, 446–7. Incidentally, he later qualified his remark by referring to continuity with the past.

⁷³ Cretey and Trigny's activities are mentioned in the oldest ordinance of the audit office: Riandey, *Organisation*, 185; Andt, *Chambre*, 7–8; Stein, 'Burgundian bureaucracy', 8; Schnerb, 'Activité', 54; for Cretey, see: Prevost, *Personel* II, 252–5; III, 792–6. As Santamaria points out (*Chambre des Comptes*, 31–53), a modern style of accounting had been in use in the county of Artois since the beginning of the fourteenth century. Further research should determine if this affected the style used by the Lille audit office.

⁷⁴ Van Nieuwenhuysen, 'Documents', 80 and n. 1, 82.

⁷⁵ The edition of the ordinance: Riandey, *Organisation*, 175–87; Gachard et al., *Inventaire Chambres* I, 74–80; Van Nieuwenhuysen, 'Documents', 79, n. 5. Even if we can establish that the Lille

The council chamber in Lille was initially a hybrid body that served as a court of justice, as well as an audit office. Although these two institutions had separate working areas, it soon became clear that this led to an unwelcome intermingling of responsibilities, and not only this, outsiders had access to the accounts, some of which could be sensitive, *lesquelz doivent estre assez secrez*. In 1389 Philip therefore banned members of the legal department from loitering during the audits.⁷⁶ A deciding factor in the development of the Lille audit office into a separate institution was the political debate in the transition of Philip the Bold's rule to that of John the Fearless. The Flemish Members demanded that the new duke should establish his council chamber—that they considered to be far more important—in the Dutch-speaking part of Flanders. After long procrastination, the duke was prepared to accede to this request. In 1405 the council chamber was relocated to Oudenaarde. The audit office, however, that he himself considered much more important, remained in the French-speaking Lille, now as an independent institution.⁷⁷

For the Netherlands, the Lille audit office was the anchor for further institution-alization, the core of an accounting system that would ultimately cover the whole of the Netherlands. This immediately became apparent in 1404, when Anton succeeded as regent for his incapable aunt, Duchess Joanna of Brabant. He assumed the regency on 5 June, and shortly afterwards, on 29 June, David Bousse and two Brabant receivers were instructed to collect all kinds of documents from the ducal castle of Tervuren. Two days later these same three persons were appointed masters of the Brussels audit office. Bousse had previously held the post of audit master at the Lille audit office and now he divided his time between Lille and Brussels, much to Anton's displeasure. Anton complained on 30 May 1406 that Bousse was using all kinds of vague pretexts to postpone his arrival in Brussels, and that while the audit office in Flanders was in good order—*en tres bonne ordonnance*—and that of Brabant was still in need of a complete reorganization.⁷⁸ Bousse knew about accounting, but he was less familiar with the situation in Brabant. He therefore had the assistance of two specialists with extensive experience of receivership arrangements in Brabant.⁷⁹

The Lille audit office seems to have operated smoothly from the point it was established, while that in Brabant rapidly descended to a questionable level. On 21 January 1418, three days after coming of age, the staggeringly weak John IV decided to close the audit office—probably under pressure from his highly corrupt environment. In 1420–1 John was dismissed by the States of Brabant, at least in part for his financial mismanagement. Once the duke was recognized again, the audit office was reinstated on 19 November 1421, although its competence continued to

ordinance dates from the reign of Philip the Good, its essence must have been formulated in 1386. As far as we know, no Paris original text has been handed down. Drs. Justine Smithuis (UL) made a comparison with the published ordinances of the Paris audit office.

⁷⁶ Van Nieuwenhuysen, 'Documents', 224–5; Santamaria, *Chambre*, 81–7.

⁷⁷ Lambrecht, 'Centralisatie', 92; Dumolyn, *Raad*, 142–3.

⁷⁸ Brussels AR, CC 2393/I, f. 64r–64v. ⁷⁹ Uyttebrouck, *Gouvernement*, 387.

be disputed.⁸⁰ New inspiration from Lille was needed. Shortly before the accession of Philip the Good, the Brussels audit office was redesigned. The newly appointed staff demonstrated a mixture of accounting experience and regional financial knowledge. The first of these was found in the person of Bartelomeus a la Truye (Figure 7.5), who was an old hand in the Lille audit office; the second, in the person of former receivers in Brabant Jan van der Hofstad and Jan Rupens.⁸¹ These moves signified the definitive incorporation of the Brabant office into the Burgundian system. The last remaining differences in terms of competence and legal processes were smoothed out in the forties and fifties, when Philip the Good, undoubtedly



Figure 7.5. Audit master Bartelomeus a la Truye. Sixteenth-century copy. Brussels Royal Museum of Fine Art 406

⁸⁰ Uyttendaele, *Gouvernement*, 390–400.

⁸¹ Kauch, *Administration*, 361–3; Stein, ‘Burgundian bureaucracy’, 8–9; Damen, *Staat*, 491–2, 128–32; Uyttendaele, *Gouvernement*, 767. It is striking that A la Truye’s salary is not included in the Brabant accounts until 8 October 1430, the formal succession of Philip the Good.

in consultation with the council of finance, afforded the Brussels chamber the same legal authority as the Lille chamber.⁸²

The establishment of the audit office in The Hague took place some time later, in 1447. It has been assumed that this came about as a consequence of the death of the previously mentioned Bartelomeus a la Truye (15 November 1446), who was delegated from Lille and Brussels to audit the accounts of Holland and Zeeland. Indeed, this is stated explicitly in the letter establishing the Office in The Hague. Nonetheless, this was not a *creatio ex nihilo*, because there had been an annex in The Hague since 1442, manned by the future clerk of the accounts Andries van der Cruce, where the accounts for Holland were audited.⁸³ The formal establishment took place in a period of considerable social unrest and institutional reforms. In exchange for the award of an aid, the nobles and towns of Holland demanded thorough institutional reforms in the county, including the establishment of an audit office, as mentioned in Chapter 6.⁸⁴ The staff of the office were appointed in late 1446 and early 1447: Jan Quevin and Andries van der Cruce as audit masters and Jacob Cruesink as auditor. Again, the choice was made in favour of a combination of accounting and regional knowledge. Cruesink had previously been clerk to Bartelomeus al la Truye, Quevin had made his career as receiver in Zeeland, and Van der Cruce had been a clerk in the administration of Holland.⁸⁵

Erik Aerts and Hugo de Schepper pointed out that there may well have been several audit offices, but these were nonetheless part of a single centralized institution.⁸⁶ Indeed this was a kind of rat king, a structure consisting of several almost identical bodies. Their connection is apparent not only from the involvement of the accounting masters from Dijon and Lille in the organization of the chambers in Brussels and The Hague, but equally from the intensive contacts, the exchanges of letters between them, and from their identical working methods. Yet there was a certain hierarchy. Within this structure, after a brief period of subordination to Dijon, the audit office in Lille became the more important one. This is where, from the twenties, the accounts of the senior officials, such as the receiver-general of all finances, were audited.⁸⁷

In 1447 the institutional structure was complete, and comprised four audit offices. However, this was not to last long. The audit office in The Hague disappeared from the scene sixteen years later. Ignoring the fierce protests of his subjects in Holland, Philip the Good decided on 24 May 1463, from then onwards, to have the accounts for Holland and Zeeland audited in Brussels.⁸⁸ The outcome was predictable.

⁸² These are the ordinances of 24 April 1444, 25 January 1446, and 28 October 1453; Aerts, 'Rekenkamer van Brabant', 627; the first and last were edited by: Godding, *Verordeningen*, 219–20, no. 129, 362–3, no. 227.

⁸³ Damen, *Staat*, 135–6. The Hague NA, Rekrek 145. On 26 November 1445, Jacob Cruesinc was appointed clerk of the accounts in Holland; he took his oath on 3 January 1446. The Hague NA, Rekreg 1, f. 1r.

⁸⁴ See: The Hague NA, Rekrek 234.

⁸⁵ Damen, *Staat*, 454–5, 485–6; Jansma, *Raad*, 170–1.

⁸⁶ De Schepper, 'Burgundian-Habsburg Netherlands', 520; Aerts, *Geschiedenis*, 81, n. 2.

⁸⁷ Cockshaw, 'Comptes', 468–88; Aerts, *Geschiedenis*, 179–80.

⁸⁸ Vaughan, *Philip the Good*, 194, 345; Damen, *Staat*, 138–40.

In 1473 Charles the Bold decided that the audit offices of Lille and Brussels would be replaced with one single office, located in Mechelen, where he also established the new parliament. The decision was based on the need for cost savings, centralization, and rationalization. This is stated explicitly in the opening lines of the foundation charter for the audit office in Mechelen:

Because the rendering and auditing of the accounts of our receivers in the Netherlands, both from the domains and the aids, have to date taken place in different audit offices, it is not possible to conduct an audit quickly and coherently as the required exchange of information between the audit offices often leads to great delays, which in turn leads to high costs.⁸⁹

It is moreover no coincidence that this same period also saw the reorganization of the receiverships. It was only possible to centralize the auditing of the accounts if the number of officials required to submit accounts was drastically reduced.⁹⁰

After much protest by the Brabant subjects and a major removal of the archives, documentation, furniture, and accounting masters, a chairman was appointed in Mechelen, along with nine accounting masters, three subordinate masters, six auditors, and four clerks, almost all of whom had worked previously in the former regional offices. The audit office in Mechelen lasted around three years, until 1477, when the provincial privileges reinstated the former institutions.⁹¹ All archives, furnishings, and staff returned to Lille, Brussels, and The Hague. This meant that accounts master Jacob Cruesink, for example, who had started his career as clerk to Bartelomeus a la Truye before becoming clerk of the audit office in The Hague, found himself via Brussels and Mechelen once again in The Hague, where until his death in 1493, he imposed the Burgundian administrative culture on those officers who were required to submit accounts. After 1477 the organization of financial control remained almost unchanged until the end of the *ancien régime*, a system comprising four chambers, located in Dijon-Dôle, Lille, Brussels, and The Hague.⁹²

The audit offices were located in or close to the old princely courts. The Lille audit office was established in the *Palais de la Sale* until 1409, but thereafter, was removed for good to the other ducal residence in the *Hôtel de la Poterne*.⁹³ The Brussels audit office first used a hall in the Palace at Coudenberg. In 1465 the accounting masters moved to new premises next to the neighbouring church of St. Jacques, where separate rooms were arranged for Brabant, Holland—that for a short while fell under the Brussels office—and Luxemburg.⁹⁴ The accounting

⁸⁹ Gachard et al., *Inventaire Chambres* I, 109–12; Vaughan, *Charles the Bold*, 185; Paravicini, *Karl der Kühne*, 55–7.

⁹⁰ Compare: Bartier, *Légistes*, 179–80; Blockmans, *Metropolen*, 516–17; Aerts, *Geschiedenis*, 101–3.

⁹¹ Aerts, *Geschiedenis*, 102–3.

⁹² The provincial audit offices were centralized in Mechelen again in 1496; in 1498 this measure was reversed: Van der Pas, 'Rekenkamer van Holland', 634–5; Aerts, *Geschiedenis*, 108–11. Following the loss of the duchy of Burgundy, a separate audit office was set up for Franche-Comté in Dôle in 1494; Gresset, 'Chambre', 81–2.

⁹³ Jean, *Chambre*, 137–40; Dumolyn, *Raad* 145–6; Santamaria, *Chambre*, 88–95.

⁹⁴ Uyttebrouck, *Gouvernement*, 386–7; Kauch, 'Note', 15–16, 19.

masters of Holland originally had their offices above the front entrance of the Ridderzaal, but this quickly proved too small and too hot, and in 1462, they and their archives moved to a room above the bottling hall, that they almost immediately exchanged, first for Brussels and later for Mechelen. In 1477 they returned to their former premises.⁹⁵

The audit offices were heirs to the princely councils, which is also reflected in the composition of their districts. The core of these consisted of the former personal unions from pre-Burgundian times, later expanded to include the new acquisitions (Table 7.2). The accounts of the newly acquired provinces were in the first instance generally audited by delegated accounting masters. An example of this is the control of the accounts of Hainaut, Holland, and Zeeland. Apparently, the years after 1428 were not an opportune time to establish a new audit office in Holland, but it was still necessary to audit the accounts. Philip the Good sent commissions from the existing offices in Brussels and Lille to the provinces to audit the accounts on location. In 1432 Bartelomeus a la Truye, at that time *maistre* of the audit office in Brussels, and Joos van Steelant, a member of the Council of Flanders, were appointed to audit the accounts of Holland. They came together, first in Leiden and later in The Hague.⁹⁶ Until his death in 1446, A la Truye, assisted by Andries van der Cruce and Jacob Cruesink, would remain the driving force behind the auditing of the accounts of Holland and Zeeland. In 1442 a small office was organized for auditor Andries van der Cruce in The Hague. Five years later, Philip the Good issued the charter for the foundation of the audit office of The Hague.⁹⁷ From 1430 the ubiquitous A la Truye was also working as commissioner for the audits of the Hainaut accounts in Mons, a role that he continued to fulfil until 1442, when the Hainaut accounts were audited in Lille.⁹⁸

Table 7.2. Jurisdiction of the Burgundian audit offices (ca. 1460)⁹⁹

Dijon	Lille	Brussels	The Hague
Burgundy	Flanders	Brabant	Holland
Franche-Comté	Artois	Limburg	Zeeland
	Namur	Luxemburg (from 1463)	
	Hainaut		

⁹⁵ Damen, *Staat*, 137–8.

⁹⁶ In 1428 first Fierabras Boids, audit master from Lille, and Roeland Voorbosch, secretary to the duke, were sent. The meeting with the Holland treasurer was a failure. Next came Joos van Steeland and Jan van Pressy, who had a long career in the Burgundian financial administration; Jansen, 'Modernization', 262; Jansma, *Raad*, 156–69; Bos-Rops, *Graven*, 55–6, 197–8; for the biographies of Steeland and Pressy, see: Damen, *Staat*, 490, 485.

⁹⁷ Damen, *Staat*, 132–6. A similar system was already in use for Artois, the accounts of which were audited in Arras by representatives of the Lille audit office, before this province was permanently added to the Lille district in 1386; Bautier, Sornay and Muret, *Sources* I, 2, 246.

⁹⁸ Aerts, *Geschiedenis*, 95–6; Devillers, *Cartulaire* VI, 1, 102; Bruwier, 'Notes', 134–5; Arnould, *Dénombrements*, 87, n. 2; Cauchies, *Législation*, 22, n.63; according to Coutiez, 'Part', 109 and no. 16 the Hainaut accounts were not audited in Lille until after 1445–6.

⁹⁹ Gachard, *Inventaire Chambres* I, 11, 101–3, no. XXIII; Jansma, *Raad* 184; Gilliodts-van Severen, *Coutume* IV, 371–2; for a detailed description of the Lille district; Santamaria, *Chambre*, 215–65.

Table 7.3. Introduction of accounting audits in the Burgundian provinces

Province	Auditing by professional audit masters	Auditing by one of the Burgundian audit offices	Province	Auditing by professional audit masters	Auditing by one of the Burgundian audit offices
Burgundy	1351	1386	Hainaut	1432	1442
Franche-Comté	1369	1386	Holland-Zeeland	1432	1447
Flanders	1382	1386	Namur	1429	1429
Artois	1385	1386	Luxemburg	1444	1462
Brabant	1404	1404	Guelders	1473	1473

A similar solution was chosen for Luxemburg and Chiny. From 1444 the accounts from these provinces were also audited by several commissioners, who travelled from Lille to Luxemburg, and in 1463, Luxemburg was subsumed within the district of Brussels.¹⁰⁰ The different provinces were thus subjected to the Burgundian audit masters, often well before they were added to the district of one of the audit offices (Table 7.3).¹⁰¹

The audit offices seem to have occupied only a very modest place in the 'large' financial policies of the Burgundian government and were secondary to the wishes of the duke and the dictates of the privy council. Yet they represented a crucial link in the financial chain from centre to periphery, from privy council to subjects, and vice versa.¹⁰² Moreover they ensured that the government finances were standardized in a way that had never been seen before.

The task of the audit offices can be summed up in a single sentence: they checked the way in which receivers and other officials handled the finances that were due to the prince. All the more specific competences—archiving, jurisdiction, and inspection—were derived from this core task. In principle the accounts of all the prince's officials were presented at one of the audit offices, from the most lowly receiver to the most powerful *receveur général de toutes les finances*. This competence was not necessarily restricted to the accounts of the prince's officials. From the 1330s, the accounts of officials in Bruges and other Flemish towns were presented to a ducal clerk for auditing; in the second half of the fourteenth century, the accounts for Antwerp and Mechelen were audited in the audit office in Lille.¹⁰³

The accounting procedure sounds like a liturgy, made up successively of the *redditio*, the *auditio*, and the *clausa*. The *redditio* comprised the formal transfer of the account to the audit office. Under oath, the receiver or bailiff declared that the account contained the truth and nothing but the truth. From that point onwards, the account was the subject of financial exegesis during the *auditio*. One of the

¹⁰⁰ Petit, *Inventaire*, 5–6.

¹⁰¹ For developments in Hainaut, see: Bruwier, 'Notes', 135–6, 139–40. For Namur, Brussels AR, CC 3224–7.

¹⁰² Van Cauwenberghe, *Vorstelijk domein*, 209–18; Jean, *Chambre*, 61–131; Aerts, *Geschiedenis*, 182–201.

¹⁰³ Blockmans, 'Controle', *passim*.

auditors would quickly run through the account, adding coded comments here and there: *ca*, *vi*, *sci*, *lo*, or *cor*, that stood respectively for *caveatur* (caution), *videtur* (look back in an older record), *sciatur* (verbal explanation needed), *loquatur* (needs further discussion), and *corrigendum* (to be improved). Ultimately, there was the much-feared *royé*, or entry rejected. On the basis of these comments, one of the clerks would verify the suspect items using the archives available, the documents submitted with the account, or an investigation *in situ*. The receivers and bailiffs had to substantiate every entry in their accounts. Obviously, all relevant documents had to be included with the account. Discharges, commandments, certificates, receipts, sheaths of papers, registers, deeds, and instructions all piled up and were stored in the archives of the audit offices. Once the audit had been carried out, the account was assessed in a general meeting of all the audit masters. The receiver himself was present in order to explain the findings. Once all the procedures had been followed and everything had been explained satisfactorily, people gathered around the altar of the abacus. The jetons flew back and forth when foreign currencies were converted into the accounting currency, and the *summae*, the totals of the receipts and expenditures, were calculated. Finally, the balance was drawn up with a *summa summarum*. Once this process had been completed, a short note was added: 'closed', location, date. Amen.¹⁰⁴

The introduction of this procedure meant an enormous alteration in what we can refer to as the method, the style of auditing. Now professional bookkeepers were at work, who were competent in financial methods, and who forced the receivers to act within the framework of the Burgundian administration. In the margin of the accounts we find numerous scribbled notes, in which the auditors ask for additional information or for a further explanation for an item of income or expenditure. As a reference they used either the accounts of the previous years or a payment instruction from the duke, the treasurer, or members of the council of finance. An example is the note that was scribbled in the margin of the Holland account of 1432–3. Receiver-general Godschalk Oem had claimed an amount of money with the travel costs. The audit masters noted: 'A written order from the lords of the Council of Holland is needed for this sum'. A year later Godschalk apparently presented the required document: 'He has submitted a written order relating to this and similar entries, sealed with the seal of my lord of Santes, chair of the Council of Holland'.¹⁰⁵ Similar notes can be found in the accounts of all the provinces of Burgundy.

The accounting rules also had an impact on the way in which the income and expenditure were justified. In the course of the years, the receivers replaced the originally summary items with extensive references to documents and data. An item from one of the accounts for Zeeland can serve as an example. This was corrected by the auditors:

Item, betailt bi ~~bevele~~ mins ghenadichs heeren brieven GEGEVEN XXVIII DAGE IN FEBRUARIO M IIII^c XXVII minen genedigen heere leende omme sijn lide van wapenen

¹⁰⁴ Jassemijn, 'Contrôle', 135–6; Jean, *Chambre*, 37–46; Kauch, *Administration*, 367–410; Aerts, 'Financiële contacten', 162–75; for the use of the abacus and jetons, see Van Beek, 'Rekenpenningen'.

¹⁰⁵ Stein, 'Burgundian bureaucracy', 12–14; The Hague NA, Rekrek 133, f. 50v.

mede te houden in Hollant ENDE DIE TELIVREERDE BOUDIN VAN ZWETEN TRESORIER VAN HOLLANT DIE DAER AF BEWIJS SCULDICH ES TE DOENE gelijc mijns ghenadichs heeren brief die Floris hier overlevert inhout.¹⁰⁶

(Item, paid by ordinance of my graceful lord's letters, GIVEN 28 FEBRUARY 1427, [the money that] my lord borrowed to keep his soldiers in Holland AND THAT WAS BROUGHT OVER BY BOUDIN VAN ZWETEN, TREASURER OF HOLLAND, WHO IS OBLIGED TO PROVE THIS, as is stated in the letter that Floris has handed over.)

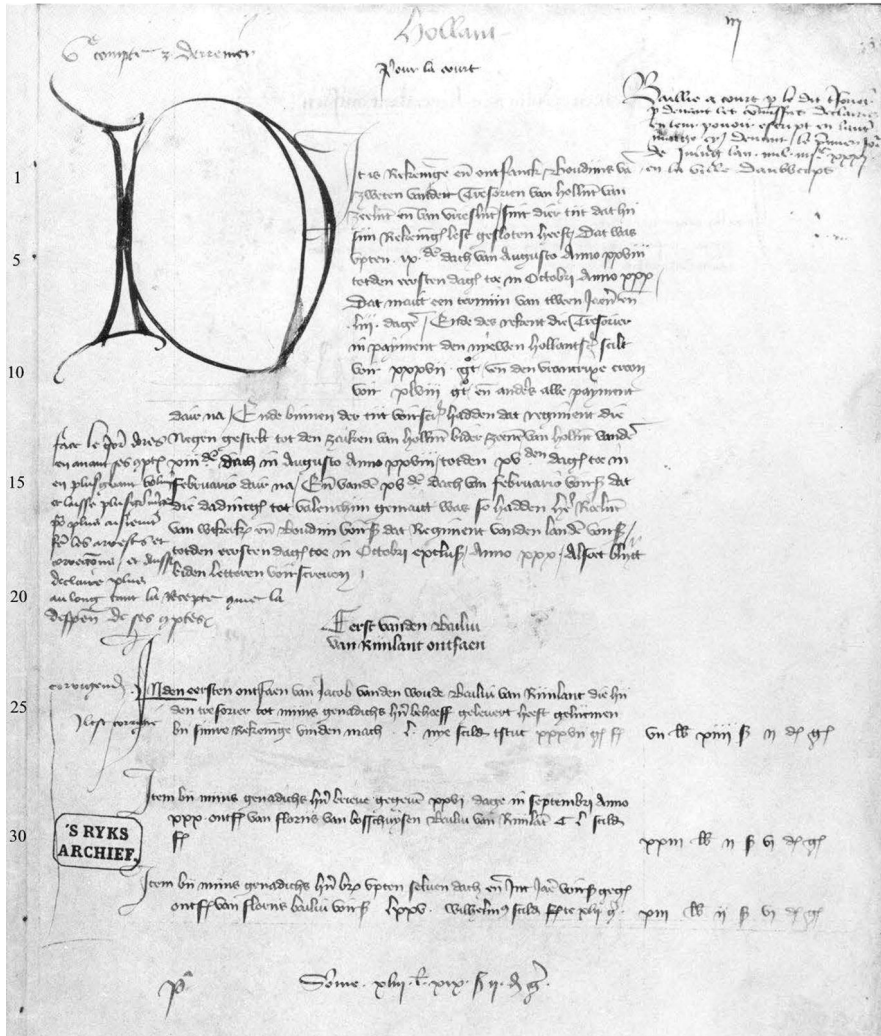


Figure 7.6. Account of Holland with notes by the auditors. The Hague NA, Rekrek 133, f. 3r

¹⁰⁶ Middelburg, Zeeuws archief, Rekenkamer II,1, f. 49r. The additions are indicated in Roman character, the word 'bevele' (strikethrough) has been erased by the masters.

The consequence, of course, was that the items in the accounts became much longer and the accounts themselves became much thicker.

A nice illustration of the change can be seen in a comment placed in 1440 in an account of the treasurer for Holland, William of Egmond, dating from fifteen years previously. For unknown reasons the audit masters decided to carry out a new audit on the old account that fell far short of meeting the requirements now applicable. On the first page, they commented that they would only carry out a superficial check of the expenditures, 'because at the time of the account mentioned, and also previously, it was not usual to submit instructions or evidence, or to receive receipts, other than for large entries' (Figure 7.6).¹⁰⁷ The checks carried out by the audit offices were not restricted to the content of the accounts, but also took in the form in which they were presented. Before the Burgundian assumption of power, it was not uncommon for receivers to write their accounts on a roll of parchment, some of which have been preserved. The audit masters demanded that the accounts should now be submitted in the form of a codex. The addition of a folio number made it easier for the audit masters to refer to particular items; this system could moreover prevent a fraudulent receiver from removing or adding pages.¹⁰⁸ But even then there were more demands. When the Burgundian masters first checked an account of the receiver-general of Holland, it proved impossible for them to make notes in the narrow margins, so they scribbled on the edge of the sheet: 'The treasurer must from now onward draw up his accounts in larger books and leave bigger margins so that decisions and corrections can be made more easily. He also has to give a more detailed explanation, both of the receipts and the expenses of his accounts.'¹⁰⁹ The auditing of the accounts was not only a matter of financial interest. The Brabant accounts give an amusing example: in 1480 the Brabant receiver-general Jan van Olmen dared to add up the wages of the members of the audit office, not only after those of the chancellor and the council members, but even after those of the secretaries and even the process server. This was too much of an insult to the honour of the Office! A angry note was put in the margin: 'In future, the wages of the audit masters must be noted immediately after those of the chancellor and the Council, as was the usual practice'.¹¹⁰ Their protests had little effect on Jan van Olmen; the following year, the sequence was unchanged. They then threatened not to close the accounts, but the receiver-general was adamant, and the order continued unchanged.¹¹¹

One by one the different provinces were subjected to this new style of accounting, and a standard developed that was used in all the Burgundian lands. The activities of the accounts masters in Dijon, Lille, Brussels, and The Hague meant that the

¹⁰⁷ The Hague NA, Rekrek 126, f. 1r.

¹⁰⁸ Kerremans, *Étude*, 273–98; Martens, *Administration*, 325–6. See the ordinance of the audit office, issued by: Gachard et al., *Inventaire Chambres I*, 75: 'Les comptes ordinaires soient tous faiz par cayers, et liez et et cousuz ensemble et par ordre... tous les fueilles desdiz comptes soient nombrez, pour plus aiseement faire les corrections et savoir se l'en auroit perdu ou adjousté aucuns fueillez ou cayers depuis la cloison des diz comptes.'

¹⁰⁹ The Hague NA, Rekrek 130, f. 3r.

¹¹⁰ Brussels AR, CC 2425/I, f. 52r.

¹¹¹ Compare: Stein, 'Burgundian bureaucracy', 13.

accounts of the Burgundian lands, from Salins to Alkmaar and from Thionville to Arras, exhibited a high degree of similarity. It mattered little whether the accounts were audited by a committee of *maistres*, as initially in Hainaut, Holland-Zeeland, and Luxemburg, or in the audit offices themselves. The structure of the accounts and the content of the entries were identical. With this level of homogenization, it is not surprising that the merging of the offices of The Hague and Brussels (1463), and of Lille and Brussels (1474) went almost without a hitch.

The core task of the audit offices was financial control, but there were other related tasks, such as handling legal matters arising from the administration of the domains that were brought before the audit offices in their role as courts of law. These cases mainly involved punishing negligent receivers and mediating in disputes between those responsible for submitting accounts. The surviving records show clearly that the legal competence was exercised only incidentally. In addition, the audit masters had an advisory role in the processes of the council chambers when domain issues were handled.¹¹² The relations between council and audit offices were not clearly defined, and in 1433, Philip the Good had to proclaim that neither of these institutions in Flanders was subordinate to the other.¹¹³

The audit offices also had a third task: they advised the central government on financial policy and on the administration of the domains and the duke's assets.¹¹⁴ The audit masters controlled how much wood could be cut in the prince's forests, and what the state of the castles, the mills, and the fortresses was. An interesting example of their advisory role can be seen in the series of recommendations that the Brussels masters made in 1451, 1462, and 1467.¹¹⁵ The duke had resolved to exploit the domains more effectively and even more importantly, to limit the expenditure. Naturally, these plans also touched on the enormous costs of the corps of officials, and the audit office had to make recommendations on this issue too. The council chamber in particular could manage with fewer people, or so the audit masters believed. In 1462 they therefore recommended that economies should be made: 'The number of council members with a salary paid by my lord is very great, much greater than the required minimum number of notable members that are suitable and favourable. That my lord the duke, if he so wishes, can issue a decision on this.'¹¹⁶ Matters were not so simple for the audit office itself. The *maistres* may well have begun by commenting carefully that they could not make recommendations because they themselves would be the subject of such advice, nonetheless they were keen to stand up for their young, talented colleague Barthelomeus van

¹¹² Rightly, Damen points out that the audit masters were also titled councillors. They only had membership of the council incidentally, Damen, *Staat*, 148–9; Schnerb, 'Activité'; Dumolyn, *Raad*, 168–70; Aerts, 'Rekenkamer van Vlaanderen', 613–14; *Geschiedenis*, 188–91; Godding, *Conseil*, 292–7; for the later period, compare Jean, *Chambre*, 103–20; Van Rompaey, *Grafelijk baljuwsambt*, 439–54.

¹¹³ Dumolyn, *Raad*, 169–70.

¹¹⁴ Santamaria, 'Conseiller le prince', *passim*.

¹¹⁵ The three recommendations are all recorded in: Brussels AR, CC 17. 1451: f. 1r–80v; 1462: f. 121r–259v; 1467: f. 81r–120v.

¹¹⁶ Brussels AR, CC 17, f. 160r.

Meerbeke. If the duke were to award him a good annuity, then he could easily wait until a permanent place was available for him.¹¹⁷

In some cases the audit masters had to carry out historical research in order to give sound advice. In 1441 Jean Quevin investigated whether the people of Zeeland had paid their aids faithfully and in full since the death of Duke Albert of Bavaria (1404). This was a difficult job because many of the individuals involved in the case were both uncommunicative and possessed of a poor memory. Twenty-three years later, in 1464, when Quevin's successor Jacob Cruesink finally completed the investigation, he concluded that there had indeed been large-scale falsification of the accounts.¹¹⁸ Maximilian also made use of the historical expertise of the audit office. After his marriage to Mary of Burgundy, he was shocked to realize that in the Brabant Joyous Entry of 1477, she had acceded to all the wishes of her subjects. The audit masters were instructed to compare the Joyous Entry with the older versions of the privilege and to examine the financial consequences of the changes.¹¹⁹

The advice given by the audit masters was not limited to such general appraisals. The audit masters advised on all kinds of issues: they estimated the value of land, reported on the state of maintenance of property, etc. They could also instigate enquiries, one example being the hearth counts that were carried out in 1449 and 1469 by the audit office in Flanders.¹²⁰ They were on occasion also involved in producing the records used by the policy makers in the council of finances.¹²¹ The audit offices were thus able to provide the duke and the financial commission with all kinds of important local and regional data.¹²² Given the growing distance between the administrative centre and the provinces, this was a crucial function of these institutions.

According to Jean-Philippe Genet, the audit masters were above all archivists. Indeed, when one realizes that the archive of the Brussels *Chambre des Comptes* with archives 4.4 kilometres in length is one of the largest historical archives to have been preserved, one cannot help but agree with him.¹²³ The annotated accounts of the receivers and bailiffs, which were used as reference by the audit masters, constituted the bulk of the archives. These records allowed them to determine easily whether those who had to submit accounts had differed from their earlier accounts and whether their own instructions had been followed. The archives contained not only accounts; receipts confirming expenditures were also stored there. The masters thus also administered a fast-growing archive. They were, however, not the only officials to be involved with archiving. In the time before the Burgundian assumption of power, the provincial charters were archived by the chancellery; from 1433 a separate official was appointed in Brabant as custodian of the charters.

¹¹⁷ Brussels AR, CC 17, f. 162r. It is remarkable that a few years later in 1467, it was established that there was a surplus of masters and a shortage of auditors and clerks in the Brussels audit office; The Hague NA, Rekreg 3, f. 49v–50v. Edited by: Gachard et al., *Inventaire Chambres I*, 106–8.

¹¹⁸ Damen, *Staat*, 146.

¹¹⁹ Edited by Van Uytven, '1477', 357–71.

¹²⁰ Dumolyn, *Raad*, 158–9, 165.

¹²¹ See for the 'budget' of 1467–8: Arnould, 'Premier budget', 239; in 1542 the preparation of budgets was commissioned to the audit offices definitively: Baelde, *Domeingoederen*, 19.

¹²² Damen, *Staat*, 143–50.

¹²³ Genet, 'Conclusion', 272–3; Aerts, *Geschiedenis*, 81 and n. 3.

At the same time in Holland, a *garde du registre du pais* was appointed. The attachment of the subjects to the legal titles awarded to them in the charters meant that the 'old archive' generally remained separate from the 'modern archive' of the audit offices, that was subject to frequent changes of location.¹²⁴

Finally, mention should be made of the importance of the audit offices for the contacts between the central government and the receivers and bailiffs who operated at local level. In an ideal situation, those who had to submit accounts would put in an appearance at least once a year in Dijon, Lille, Brussels, or The Hague. The duke and the council of finance in particular liked to make use of this channel of communication, by sending all kinds of ordinances relating to the local receivers to the audit offices. The archive documents that have been preserved in Lille, Brussels, and The Hague contain a series of records, in folio format, that are identical not only in size but also in layout, in which all the relevant decrees of the central government were recorded.¹²⁵ In the mid-forties in particular, when the Burgundian finances were managed with great enthusiasm by the council of finance, the audit offices were managed increasingly often from the centre. A clear indication of this is the fact that the numerous ducal ordinances were published simultaneously in the great series of registers of the three audit offices in the Netherlands.¹²⁶ In their confrontations with those who had to submit accounts, the audit masters could check whether the rules were being observed. At the same time, the audit offices were excellently situated to represent the needs of the small receivers and the local interests to the policy makers who were in close proximity to the duke. Of course this instrument became much less effective when the number of people required to submit accounts decreased strongly in the 1460s and 1470s.¹²⁷

7.3.1 The Mint Office

Brief attention has to be paid to another institution, closely related to the audit offices, so much so that it was located within the premises of the Lille audit office in the *Hotel de la Poterne*. In 1433–4, as he had promised to the States of Brabant and the towns and nobles of Holland-Zeeland, Philip the Good issued a common coin, the so-called *vierlander*. The alloy of the coin was based on the strong Flemish groat, and Philip's aim in issuing it was to bring the soaring inflation to a halt.

¹²⁴ Renoz, *Chancellerie*, 120–7; Laurent, *Documenten*, 19–45; Damen, *Staat*, 109–10; Vandermaesen, 'Slot', 273–81; Jean, *Chambre*, 95–6; Santamaria, *Chambre*, 363–72; for a summary, see Bautier, Sornay, and Van Gent, *Sources* I, 1, 1, *passim*; Van Gent and Le Bailly, *Gids*, 109–11.

¹²⁵ Lille ADN, B 1597 and the following; Brussels AR, CC 132 and the following; The Hague NA, Rekreg 1 and the following.

¹²⁶ For example, the ordinance of 28 October 1453, that envisages better compliance with the accounting obligation of the lower officials. This ordinance was addressed simultaneously to the audit offices of Lille, Brussels, and The Hague. They were copied in Lille ADN, B 1607, f. 44v–45r; Brussels AR, CC 133, f. 24v, f. 130r; The Hague NA, Rekreg 1, f. 38v–39r. Something similar can be seen in the ordinances of 29 February 1444, 14 August 1447, 22 March 1454, 21 September 1457, 6 February 1458, etc.

¹²⁷ Parker and De Schepper, 'Decision-making process', 173–4.

As the name implies, the currency was minted in the four most important provinces of the Netherlands: Flanders, Brabant, Hainaut, and Holland-Zeeland, and it was the responsibility of the Mint Office to monitor the alloy in order to guarantee the monetary stability that the subjects so desired.¹²⁸ The design of the Mint Office was evidently inspired by the Paris *Cour des Monnaies*, first mentioned in 1350, but it is clear that this institution served more than only the interests of the prince. The intensive involvement of the subjects in the issue is apparent in the fact that the provincial States and in particular the States-General paid close attention to the value and the stability of the coin, so much so that no fewer than seventeen of the forty-one meetings of the States-General during the 1427–77 period were devoted to issues related to the currency. As a comparison, only three of the meetings were about an aid.¹²⁹ The Mint Office was not just responsible for monitoring the alloy of the coins and for the quality of the precious metal supplied, it also advised the privy council on monetary matters. The territorial competence of the Lille Mint Office was limited to the provinces of the Netherlands. In fact, the *vierlander* was only minted in the northern provinces; in the south they had their own coin. The control over the alloy rested with individual mint masters of the duchy of Burgundy, where the mint workshops were also located.¹³⁰

7.4 THE RESULTS

The committee of enquiry of 1385 still mentioned the financial disarray in Flanders and Artois. In Chapter 4 we saw that in the period around 1430, the princely finances in all the other provinces were in an even greater state of chaos. After the Burgundian accounting system was introduced, things became remarkably quiet. This is partly due to the clear and systematic method used by the audit masters. Structure was introduced into the registration of the duke's domains. It became perfectly clear what belonged to him and what did not; the 'accidental' loss of domain assets to receivers or others was now a sheer impossibility. For the dukes themselves, their main concern was obviously to maximize the revenues from their domains and from the aids, and also to have a better overview of the expenditures. What financial consequences did this have?

In the 1960s, Michel Mollat carried out a large-scale study of the finances of the 'Burgundian state'. He came to the conclusion that the annual average of the Burgundian revenues rose from 345,200 pounds during the reign of Philip the Good to 761,600 pounds during that of Charles the Bold; 61 per cent (210,572 pounds) and 53 per cent (403,648 pounds) respectively came from the domains. This would mean that the income from the domains rose sharply, which seems to

¹²⁸ Spufford, 'General officers'; Aerts, 'Muntkamer'; Santamaria, *Chambre*, 303–8. The definitive formation of the Mint was preceded by a much more limited institutionalization in the mid-twenties, when Hainaut, Holland, and Zeeland came under Burgundian influence.

¹²⁹ Cuvelier, *Actes*; compare: Wellens, *États Généraux*, 401–6.

¹³⁰ Dumas-Dubourg, *Monnayage*, 100–3.

confirm the effectiveness of the Burgundian strategy. Unfortunately, these figures only give a rough indication of the true situation and they should be treated with considerable caution. The ever changing composition of the Burgundian provinces is the least of the problems. What is much more important is the fact that the figures used only show a limited part of what was actually going on.¹³¹

The fundamental problem in drawing up an overview of the income and expenses, and at the same time an illustration of the impossibility of organizing a centrally managed financial system, lies in the so-called *lettres de décharge*. A *décharge* is an instruction by a higher receiver or the treasurer to a lower receiver to pay a sum of money to a creditor. This lower receiver could, of course, claim this sum in his accounts, and eventually it was charged to the central treasury of the Burgundian dukes. It is more than likely that the administration of the payment was delayed, and that it only appeared in the accounts in a later year. This makes it difficult to reconcile all the accounts, including those of the provincial receivers, those who received aids, and the administrators of the smaller domains.¹³²

This Herculean financial undertaking was however carried out in the time of Philip the Bold (1384–1404) by Andrée van Nieuwenhuysen. She calculated that during Philip's reign, the income from his duchies almost doubled. Although there were large fluctuations, the revenues in the period between 1387 and 1395 were on average 250,000 pounds a year; by the end of his reign, this figure had risen to around 450,000 pounds.¹³³ There is no similar large-scale study for a later period,¹³⁴ but fortunately, the Burgundian administration comes to our aid here. On two occasions in the fifteenth century, a budget was drawn up comprising a summary of the net income, that is, the revenues excluding the fixed costs of pledges, outstanding loans, etc. We have information available from 1445 and 1467–8, that is shortly before the large-scale reform of the receiverships and the period in which the reforms were in full swing (Table 7.4). The picture this gives is not clear, and the figures should be treated with caution; nonetheless, the results in the intervening period show an improvement of 32 per cent. For the core provinces of Brabant, Flanders, and Holland-Zeeland, this figure is even as high as 87 per cent.

In the case of Brabant, other sources indicate a recovery of the prince's finances at the start of the fifteenth century. From 1404, when Anton was regent, the ducal domains were reorganized; all kinds of gifts made by Joanna were recouped. From 1407–8 this policy was supported financially by the States of Brabant. Later, during the reign of Duke Anton, his dynastic policy led to a worsening of the financial situation, and during the chaotic twenties, they ended up in a freefall.¹³⁵ In the

¹³¹ Cockshaw, 'Comptes'.

¹³² Mollat, *Comptes*, XL–XLII; Mollat, 'Recherches', 305, 312; Cockshaw, 'Comptes'; Prevenier, 'Financiën'.

¹³³ Van Nieuwenhuysen, *Finances... Montant*, 159; Van Cauwenberghe, *Vorstelijk domein*, 299; Soens, 'Évolution', 51.

¹³⁴ We know only for Flanders that almost all the assets that were divested by Philip the Bold were again part of the domain in around 1450. Soens, 'Évolution', 44–5.

¹³⁵ Uytendaele, *Gouvernement*, 478–82; Stein, 'Vergeten crisis'.

Table 7.4. Net income from the domains, 1445 and 1467–8 in pounds¹³⁶

Province	Net domain income 1445	Net domain income 1467–8
Burgundy and Franche-Comté	57,600	46,829
Brabant and Limburg	18,240	27,163
Flanders and Mechelen	32,277	61,337
Hainaut	12,098	9,221
Artois	4,756	22,111
Somme towns	22,314	32,804
Boulogne	5,007	6,000
Namur	4,834	2,300
Holland and Zeeland	13,758	18,592 (only Holland)
Total	170,884	226,358

first years of the reign of Philip the Good, there was a degree of recovery, partially as a result of the buying back of a number of domains that had been alienated.¹³⁷ Holland and Zeeland also saw a recovery in the domain incomes in the period between 1425 and 1433. It is difficult to come up with an exact figure for Hainaut as a significant part of the ducal revenues was received by Philip's aunt Margaret of Burgundy. The monthly domain revenues of the Hainaut receiver increased between 1431–2 and 1438–9 from around 1,500 to around 2,350 pounds a month, after which they stabilized. The incomes from the receivership of Mons did not reach its high point until 1463, and remained at this same level for a long time.¹³⁸

The recovery of the domain incomes during the first years of the Burgundian administration is confirmed by the study of several dispersed local receiverships in Flanders and Brabant. In the period between 1410 and 1430, both provinces showed signs of growth, until the middle of the fifteenth century of stabilization and thereafter of new growth. In his regional study of the Land of Heusden, Peter Hoppenbrouwers indicates that the Burgundian dukes and their officers may well have put affairs in order but that the recuperation of the domain assets proceeded far from smoothly. Nonetheless, here too, from 1430, there was a modest recovery of the incomes from the ducal assets. In Luxemburg, the domain incomes recovered from 1462–6 onwards.¹³⁹

The stability of the finances is also reflected at least in part in the course of the currency, as can be seen if we compare the value of the Flemish groat, that was the basis of the *vierlander*, with that of the Venetian ducat in Bruges (Figure 7.7). From the introduction of this coin in 1434, it remained remarkably stable. In 1466 the States agreed to a minor devaluation, and in 1474, Charles the Bold again devalued the currency in consultation with his own officials, but this time without consulting

¹³⁶ Arnould, 'Premier budget', 247.

¹³⁷ Aerts, 'Inhoud' I, 61–2; Mollat, 'Recherches', 311–12.

¹³⁸ Sivéry, *Structures*; Coutiez, 'Part', 109–10; 109–10; compare the graph in appendix 3, 29; Bruwier, 'Notes', 155.

¹³⁹ Cauwenberghe, *Vorstelijk domein*, 245; Hoppenbrouwers, *Middeleeuwse samenleving*, 345–6; Petit, Weber, *Aides*, 221–5.

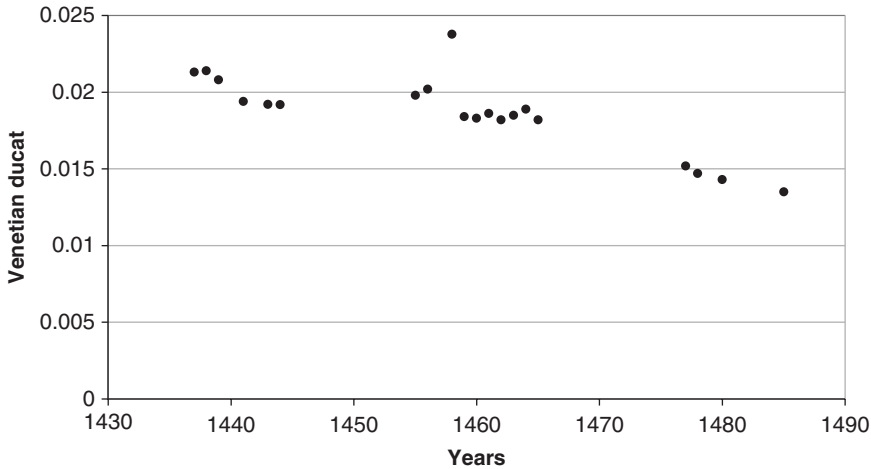


Figure 7.7. Exchange rate of the *vierlander* compared to the Venetian ducat in Bruges¹⁴⁰

the States. It was not until the late fifteenth century that the policy of monetary stability was abandoned.¹⁴¹

There are, of course, a number of comments to be made about this success story. The first is that the recovery of the princely domains and the strength of the currency were probably related to the favourable economic development in the Netherlands in the period between 1400 and 1475.¹⁴² The second point is the build up of the government finances. The princely expenditures have largely been ignored here, and no systematic study has taken place. The incomes and expenses were relatively well balanced until the last decades of the reign of Philip the Good. In any event, there was an excess in 1445, and in 1467, the private treasury of Philip the Good contained as much as 170,000 pounds, and that of Crown Prince Charles contained 95,000 pounds. After this, the picture changed dramatically, mainly because Charles initiated a policy of accelerated military build up. His excessive expenditures meant that by 1476, he was on the point of bankruptcy—or it may well be that the critical threshold had already been crossed?¹⁴³ A final comment should be made that an overview of the formal financial structures fails to take into account the important role of the informal circuit. The rules relating to the registration of expenditures were constantly broken, not least by the dukes themselves, who were unable to resist the many personal requests from family members, friends, distant relatives, friends of friends, and so on, all of whom were important

¹⁴⁰ Spufford, *Handbook*, 221–2. A similar development can be seen in the relations between the Flemish groat and the Florentine florin (ibid. 215–17).

¹⁴¹ Spufford, *Monetary problems*, 152–8 and 158 n.1; *Money*, 312–14; compare the graph by Van Uytven, 'Sociaal-economische evoluties', 90.

¹⁴² Blockmans, *Metropolen*, 556.

¹⁴³ Mollat, 'Enquête'; Blockmans, *Metropolen*, 538–9; Arnould, 'Premier budget', 240.

for maintaining the existing power relations. Philip the Good repeatedly complained that he was unable to regulate his expenditure because of the never-ending stream of petitions and requests.¹⁴⁴

7.5 FOR THE COMMON GOOD?

It is 1452; the city of Ghent is in full revolt, and Philip the Good is in financial straits. He needs a lot of money to finally subjugate this stubborn city. He hopes to find the money by pledging the domains in the duchy of Brabant. However, this was easier said than done. First he has to negotiate with the States of Brabant to acquire their approval. Eventually, this is given, but not before the States impose a number of conditions relating to buying back the domains.¹⁴⁵

I have indicated previously that the princely domains were the financial basis on which the power of the state rested, and that these domains were subject to the authority of the duke and his Great Council. This is their rightful place. If the sources make one thing clear, it is that the domains appealed less to the social imagination than, for example, the aids, although nobody was in any doubt about the importance of a stable currency. Neither in the vernacular literature nor in the administrative sources relating to the meetings of the States are there many mentions of the princely domains. These were regarded as a kind of salary for the prince, with which he could fulfil his most important duties. It was self-evident that he could determine the structure of the financial administration; he was entitled to appoint the receivers, bailiffs, and audit masters; the receivers and masters were part of an administrative hierarchy, with the duke, the council of finances, and the receiver-general of all finances at its head. Traces of the sweeping introduction of new receiverships in the period from 1463 to 1473 can be found almost exclusively in the financial administration of the government; the same applies to the restoration of the original situation several years later.¹⁴⁶

The audit offices that played a crucial part in the princely finances were much less a matter of concern to the subjects than, for example, the council chambers. In the years following the death of Philip the Bold, a serious argument broke out on the question of where the Council Chamber of Flanders should be located—in the Flemish or Walloon part of the province—and what language should be used, but there was no such debate about the location and the working language of the audit office.¹⁴⁷

¹⁴⁴ For instance, in 1415 (as Crown Prince), in 1446, and 1463; Cauchies, *Recueil* III, 390–1, no. 236; Gachard, 'Analectes' 16e s. (1871), 141–7; in 1454 Philip the Good complained about the large expenditures on wars, marriage gifts, gifts to towns and castles, the court of the duke and the Crown Prince, and pensions and luxury goods: Vaughan, *Philip the Good*, 266; an earlier example from 1405; Rijksarchief Ghent, Raad van Vlaanderen V 2335, f. 192v; 1415. This phenomenon was not limited to the Burgundian domains; Paravicini, 'Administrateurs'.

¹⁴⁵ 's-Hertogenbosch City archives, Oud archief 72, f. 126v–127v. The results can be found in a register of alienations of the domains in Brabant 1452–3, in consultation with the three orders. Gachard et al., *Inventaire Chambres* I, 246, nr. 437.

¹⁴⁶ Smit, *Bronnen* III, 64–8, nr. 75.

¹⁴⁷ See, for example, Vaughan, *John the Fearless*, 15.

Indeed, the Council of Flanders would be relocated, but in the shadow of this verbal violence, the audit office remained in Lille and communicated in French.¹⁴⁸

Nonetheless, from the fourteenth century, there was a broader interest in the princely domains. These had always had a certain ambiguity: of course they belonged to the prince, who had inherited them from generations of forefathers, but that did not mean that he could do with them exactly what he wished. On the basis of the traditions of Roman law, the conviction arose in the late Middle Ages that the domains belonged in part or wholly within the public sphere. They were part of the *fiscus* that was managed by the prince; he could act as regent, he could pluck the fruits, extend them, but not reduce or alienate them.¹⁴⁹ Here and there we find this idea echoed by individuals of very different standing, in the first half of the fourteenth century by the town secretary of Antwerp Jan van Boendale, a short while later by the Holland court philosopher Philip of Leiden, and in the middle of the fifteenth century, by Guillebert of Lannoy, knight of the Golden Fleece—or was it Hugues of Lannoy? But he was also a knight in the Order—who dedicated his *Instruction d'un jeune prince* to Charles the Bold.¹⁵⁰ Such scholarly concepts may seem extremely abstract for political practice, but we do find traces of them in the more worldly context of the meetings of the States.¹⁵¹ A number of examples may serve to clarify the situation. During the turbulent years from 1339 to 1348, the princely regalia and domains in Flanders were maintained and managed by the three large cities, each in its own region.¹⁵² In 1351, when the new Count of Holland William IV needed the support of the towns, he promised never again to alienate the castles on the borders of his land, and where possible to reverse gifts he had made previously.¹⁵³ In 1407 the alienation of large parts of the domains was a reason for the States of Brabant to threaten to depose Duke Anton. The same occurred in 1420 with his son John IV.¹⁵⁴

One explanation for the interest of the subjects can be found in the relevance of the domains within local communities. To an extent this related to the receipts from the administration of justice: alienation resulted in corruption and arbitrariness, as we saw in Chapter 4. However, the subjects were interested particularly in two types of domain revenues: the currency and the tolls. The currency was—and still is—crucially important for the prosperity of the land and for trade. Increasing

¹⁴⁸ Something similar happened in Brabant in the period 1404–7, where the members of Anton's newly founded council chamber were challenged as foreigners, but not the members of the audit office, almost all of whom came from abroad; Stein, 'Vergeten crisis'.

¹⁴⁹ For the concept of the *fiscus*: Kantorowicz, *King's two bodies*, 164–73 and in particular the fascinating book by Leyte, *Domaine*; similar concepts were also known in the Netherlands: Leupen, *Philip of Leyden*, 224–8.

¹⁵⁰ Boendale, *Leken spiegel*, II, 14, vs. 61–8; Leupen, *Philip of Leyden*, 222–3; Van Leeuwen, 'Denkbeelden', 35; Sterchi, 'Hugues de Lannoy'.

¹⁵¹ See, for example, Bos-Rops, *Graven*; Uyttebrouck, *Gouvernement*, 535–8; Blockmans, *Volksvertegenwoordiging*; Billioud, *États*; Hirschauer, *États*.

¹⁵² Nicholas, *Town*, 178–89; Van Werveke, 'Nederlanden', 59–60.

¹⁵³ Leupen, *Philip of Leyden*, 227.

¹⁵⁴ Stein, 'Vergeten crisis', 417–18. It should be remarked that at the same time Anton determined that the most important bailiffs should have to submit their accounts; Brussels AR, CC 131, f. 34r–35v. dd. 7/3/1407.

inflation was one of the main reasons for the States of Brabant, Holland, and Zeeland to seek an alliance with the relatively strong Flemish coin.¹⁵⁵ The tolls were not important for everyone, but they did matter to the influential commercial elites in the towns. They were regarded as one of the most important public assets, that had to be managed with the right policy.¹⁵⁶ Another issue at a different level of abstraction was the subjects' concern about 'honour', in particular, the status of the prince. All festivities, the court, the pomp and splendour, had to be paid for by the prince from his domain revenues. In 1420 the States of Brabant explained this once again to Duke John IV: 'If the lord has no income, he cannot live as stately as is proper; he would have to live from the assets of others, or reduce the state of his court more than is proper.'¹⁵⁷ Finally, careful management of the princely domains was also important because of the strong aversion felt by many subjects against paying taxes. Optimizing the domain incomes made it possible to apply a less stringent tax regime.¹⁵⁸

Paradoxically, the fact that the princes continued to alienate their domains was an important step in their acquiring a certain public status. For the reasons mentioned above, the subjects often felt compelled to redeem them. In this context it is not surprising that the States of different provinces set up independent auditing institutions where the count or duke failed to do so. It is equally unsurprising that in many cases this was related to the ineffectiveness of the bailiffs. At the time of Jacob van Artevelde, representatives of the rebellious city of Ghent were involved in auditing the accounts of the Flemish bailiffs.¹⁵⁹ During a truce in the Ghent War, a commission was proposed comprising the Flemish sovereign bailiff and twenty-five town dwellers, who would be charged with monitoring the prince's officers.¹⁶⁰ A similar concept was proposed in 1363 in Hainaut, Holland, and Zeeland, when the authority of the count was weakened by the insanity of Count William V.¹⁶¹ The same also occurred in Brabant. At different times in the fourteenth and the early fifteenth century, the Brabant States advocated that the receivers and bailiffs should be made accountable. In some cases they wanted the council of the prince to take on this duty, but at crucial instances, the towns of Brabant took on this responsibility themselves. John III, for instance, when he was under guardianship of his larger towns, decreed that the receivers and court officials were required to present their accounts once or twice a year before the ducal council and the towns.¹⁶²

¹⁵⁵ Wood, *Medieval economic thought*, 100–7; Isenmann, 'Medieval and renaissance theories', 35–6.

¹⁵⁶ Guenée, *Occident*, 166–7.

¹⁵⁷ Brussels AR, MD 1483, f. 1v. This issue is developed in further detail in this cartulary.

¹⁵⁸ The States repeatedly demanded that the revenues from the aids should be used to settle the prince's foreign debts. See, for example: Jansma, *Raad*, 200–3; Bos-Rops, *Graven*, 203.

¹⁵⁹ Monier, *Institutions*, 62.

¹⁶⁰ Vuylsteke, *Rekeningen*, 441–5; Boone, *Gent*, 201–2. The commission never materialized.

¹⁶¹ See the Treaty of Breda: Prevenier and Smit, *Bronnen*, 208–11; compare: Jansma, *Raad*, 34–7.

¹⁶² Kerremans, *Étude*, 281; compare one of the articles in the Joyous Entry of 1356, Van Bragt, *Blijde Inkomst*, 100, art. 15; and the diverse surveys in the fourteenth century, Bolsée, *Grande enquête*, IX–XXXIV; Van der Straeten, *Charter*, 146–60.

In 1427 the institutional continuity of the audit office in Brabant was mentioned explicitly in the Joyous Entry. And in an addendum to the Joyous Entry of 1430, it was again confirmed that the receivers, judges, and mint masters were obliged to account for their activities.¹⁶³

With the developments in Brabant, we already have one foot in the Burgundian period. Clearly, then, the new audit offices were not regarded as obstructive instruments of the central government, but rather as useful provincial—and maybe we can even use the term *national*—institutions intended to maintain financial discipline. The audit offices were administrative institutions that could operate above the domestic parties and deliver independent judgements on critical issues. These could include such matters as the setting of taxes or the control over the tax collectors. Had the tax collectors not been too avaricious? Was the tax burden spread fairly over the population? This is where the public importance of the audit offices becomes apparent. At the instigation of the States of Brabant ('sur les plaintes et doléances desdis des Estas') in 1468, council member Simon van Herbais, clerk Jan Stoep, and audit master Ambrosius de Dynter were charged with carrying out the hearth census.¹⁶⁴

It is also interesting to look at what happened in Holland in 1445. Representatives from Haarlem, Delft, Gouda, Amsterdam, and Alkmaar, together with audit officer Andries van der Cruce, audited the accounts of stadtholder Guillaume de Lalaing, whom we came across in Chapter 5. At the cost of the Holland nobles and towns, Lalaing had conducted the negotiations in a dispute with the Danes several years previously. At that time the towns had provided loans and had stood surety for possible fines. It now appeared that he had awarded himself, his brother, and his friends excessive bonuses.¹⁶⁵ After an initial refusal, he was forced to account for the expenditures, but he stated that he had carefully noted which persons had submitted the complaints. The role played by Andries van der Cruce is particularly interesting: since 1441, he had been charged with auditing the Holland accounts on behalf of the duke, but he later acted in the interests of the county of Holland on behalf of the nobles and towns.¹⁶⁶

Given the above, it is not surprising that the subjects exhibited a certain attachment to their audit offices. The merging of the chambers of The Hague and Brussels in 1463 and 1473 caused a major protest in Holland and Brabant.¹⁶⁷ After the death of Charles the Bold, one of the most important demands was that the audit

¹⁶³ Anselmo, *Placcaeten*, 148, art. 27; Pouillet, *Mémoire*, 161–2; Godding, *Verordeningen*, 51, art. 3. Even after the Burgundian assumption of power—and thus after the stabilization of the audit offices—the States occasionally acted as controllers of the finances of the aids or other accounts related to 'the land'; Uyttebrouck, *Gouvernement*, 530–5; still in 1433; SAL 5054, f. 52v.

¹⁶⁴ Cuvelier, *Dénombrements*, 60–3.

¹⁶⁵ Not only has the account been preserved (The Hague NA, Rekrek 4994), a roll with the remarks by Lalaing and the rejoinder by the towns (The Hague NA, GvH 695). Edition Smit, *Bronnen* II, 1, 13–33.

¹⁶⁶ Jansma, *Raad*, 92–5; Oversteegen, 'Hoeken'; Damen, *Staat*, 364–76. The account was eventually closed on 2 December 1445 by the Great Council of Philip the Good.

¹⁶⁷ Jansma, 'Voorgeschiedenis'; Damen, *Staat*, 130; for the context, see Meilink, 'Holland'; Le Bailly and Smithuis, 'Enkele onbekende ordonnances', 117–21; Aerts, *Geschiedenis*, 102–5.

offices of Lille, Brussels, and The Hague should be restored to their former glory.¹⁶⁸ Indeed Mary determined on 27 June 1477:

Because our late dear lord and father blessed in memory had combined, merged and brought together the audit offices that used to be in our lands of Brabant, Flanders and Holland and had made them into a single Chamber, located in and transferred to our town of Mechelen. Following the death of our afore-mentioned lord and father, we have permitted and promised the Estates of our Netherlands among others to separate and divide the chambers referred to and to establish them, as previously, in our three lands.¹⁶⁹

7.6 CONCLUSION

When Philip the Good acceded to the throne of the provinces in the Netherlands in the 1420s, 1430s, and 1440s, the prospects did not inspire any great confidence. He inherited from his distant family bankrupt estates: the princely domains were in an advanced state of dissolution; the financial administration was a mess; and the level of acceptance of additional taxes was very low. Within a few decades, a financial structure was in place that exhibited a degree of stability and that apparently represented a reasonable reflection of the power relations and financial interests. The administration was well ordered; there was control over the submission of finances; and most domains generated much greater revenues than half a century previously. Moreover, there was a stable currency that was the basis for increasing prosperity. The biggest success was the addition of a third central layer to the financial structures. The surpluses of the provincial receivers now went to the receiver-general of all finances, and consequently, to the dukes themselves. The policy of Philip the Good was not new; it was moulded on the French model of his grandfather, Duke Philip the Bold, who imported it from Paris.

The initiative for the reforms almost always lay with the government that aimed for a more rational and, above all, more effective and cheaper financial system, organized around the duke. Initially he only took advice, but later he delegated more and more frequently to increasingly bureaucratic organizations. The audit offices played a crucial role in this process. In modern jargon, they took care of the logistics, project management, and monitoring of the centralization process. These were eminently bureaucratic organizations that controlled, structured, advised, judged, threatened, and punished on behalf of the duke; specifically, they communicated the will of the duke, the privy council, and the council of finances to the other levels of the financial organization.

Even for a powerful duke, laws and practical obstacles come between dream and reality, which means that any success is relative. In the reform of the financial infrastructure, the Burgundian government came up against three kinds of problems. The first was the growing complexity of the financial world. Increasingly the dukes

¹⁶⁸ Blockmans, 'Privilege voor Vlaanderen', 137, art. 28.

¹⁶⁹ The Hague NA, Rekreg 3, f. 100r–100v.

had to rely on qualified officers, people with an appropriate education or experience in the area of finance. We can say that in this they were successful. In a relatively short time, the traditional princely councils, run by the heads of old noble families, were replaced with much more modern bureaucratic institutions and competent staff. A second problem was reconciling the changes with the existing structures at the local level. It proved impossible for the dukes of Burgundy to abolish the provincial receiverships, as this would mean losing their grip on the local finances and elites. A third problem was the attitude of the provincial States, and then probably the towns in particular. They expected the 'national' domains to be administered with proper care, and above all, they expected the prince to fulfil faithfully his duty to maintain law and order. The introduction of new receiverships failed because of the government's lack of realism, and the pledging of the bailiwicks ran aground as a result of the subjects' sense of justice.

If we attempt to look beyond the massive structures of the financial institutions, two other, more important issues come to the fore. One is that the domains progressed beyond the stage of being exclusively sources of income for the prince—they were no longer exclusively the possessions of the *dominus*. They were to a certain extent also part of the provincial public space. The audit offices, the watchdogs of financial order, took on a public role as well. A second important development can probably best be expressed by the assertion by the Brabant receiver Jan van Grimbergen, mentioned previously, that he had no desire to come under the regime of the audit office, where order was determined by written documents, receipts, and payment orders, but that he wanted to continue the tradition of being answerable to his peers in the prince's council: 'with good people and in full trust'. Informal relations, based on family, friends, and acquaintances, continued for a very long time, but Burgundization was a significant step towards formal relationships that were dictated by regulations, administration, and documentary evidence. The financial officers could no longer rely on the feudal network of the provincial courts, but had to deal with strict audit officers who asked complex questions about dates, signatures, seals, and domain assets that had been lost without trace. The significance of the Burgundian financial system lies mainly in the new administrative culture among the financial officers, the receivers, the bailiffs, the toll collectors, and all those who were required to submit their accounts to be audited.

8

The Taxes

8.1 INTRODUCTION

In 1463 Henri d'Opprebais, regular canon at Floreffe in the county of Namur, looked back on the rule of Philip the Good that was nearing its end. He was full of praise for the prince. The duke, this king of princes, had only the interests of his lands at heart; he aimed to serve peace and the Church and burdened his subjects with only moderate taxes:

He promotes the public interest such that he is known as the king of princes, who keeps his people in justice and law, and his lands in good peace. He does not want to have in his lands any tailles, taxes, surcharges nor gabelles. He also supports the holy Church as best he can.¹

We should not take Henri completely at his word. He is certainly wrong in asserting that Philip the Good was opposed to the gabelle or salt tax, but his description of the reputation that the duke had built up in the previous years is close to the truth. It is confirmed by Philippe de Commynes. In a famous passage from his *Mémoires*, written in around 1490, he wrote that Philip 'tailloit peu ses subgetz'.²

Philip's successor, Charles the Bold, was far from able to equal his father's reputation. Chronicler Georges Chastellain refers with disbelief to the point in time when Charles imposed a new tax on his subjects: 'There was nobody who was not amazed or hurt on the front on hearing this terrible amount that was proposed to be taken from the people'.³ Obviously, the duke himself saw this in a different light. It was not so very bad, in his opinion. His lands were rich and for various reasons he could have asked for much greater sums. Moreover, the dukes of Brittany and Savoy demanded much more from their lands. His citizens should cease complaining.⁴

The comments made by our four spokesmen do not refer to the longstanding annual taxes that people had had to pay for centuries for the use of the land; rather, they are referring to the aids or *aides*, the amounts of money that the princes increasingly demanded of their subjects in the late Middle Ages. In France,

¹ 'Qui tant augmente le bien publique / Qu'il est nommez des prinches le roy / Ses gens tient en droit et en loy / Et ses pays en bone paix, / Tailles, impositions, griefz fais / Gabelles en ses pays ne vuet / Sainte église assiste quancqu'il puet.' De Reiffenberg, *Monuments* V, 61–188, vs. 2375–88; <<http://www.narrative-sources.be>>, s.v. Henri d'Opprebais.

² Commynes, *Mémoires*, 55.

³ Chastellain, *Oeuvres* V, 374.

⁴ Vaughan, *Charles the Bold*, 400–3.

England, Spain, and Italy, everywhere new ways of levying taxes were being sought. Naturally, the dukes of Burgundy had no intention of falling behind in these endeavours. They, too, employed all possible means of supplementing their available budget by having their subjects pay an increasing share. Taxes were one way of augmenting the prince's revenues, and at the same time they created continuity for his budget that could not be provided by the income from the domains. Taxes thus enabled the government to take over more and more tasks relating to administration, justice, and warfare and to strengthen the apparatus of power. This is in essence the position of the medieval princes that is generally reflected in the recent literature.

Taxes can also be considered from another perspective, if one assumes that they represent the contribution that the subjects provide to make it possible for the prince—or the state—to carry out his public role. The Dutch Republic, one of the direct heirs of the Burgundian Netherlands, ruled by a dominant commercial class, can be regarded as a typical example of a state with a strong public function.⁵ But it was not only in the somewhat exceptional Republic but also in the monarchical states that the introduction of taxation altered the relationship between subjects and their government unmistakably. They became co-owners, as it were, of the state, and officers were required to explain in greater detail what they were intending to do with the money they received. It is not surprising that a relationship is often seen between taxes and participation in politics. 'No taxation without representation' was the slogan of the American protesters in 1773, but this was a reference to a centuries-long tradition. As early as 1280, the members of the municipality of Bruges and Damme in Flanders demanded insight into the uses of the taxes they had paid.⁶

When they came to power, the Burgundian dukes set out to reorganize the provincial finances. We saw previously how they improved financial controls and where possible restored the domain incomes. They also began to restructure the tax system, a necessary move since the taxes were becoming an increasingly important element of the prince's income. The integration of the provincial taxation systems into a more centralized financial system is a key topic in this chapter. The Burgundian state budget increased spectacularly, but this came at a price, not only for the citizens, but equally for the government. In the Middle Ages, too, it was the payer who called the tune, at least up to a certain point.

8.2 ARGUMENTATION

No matter how important the taxes became, it was never a given that a prince could apply to his subjects for financial help. On this issue medieval legal experts and theologians were in agreement. In fact, as everyone knew, a prince should be able to live from his domains. Only in a number of specific cases were the citizens obliged to make a contribution, generally referred to as ordinary aids. But there was still the question of what could be done if the revenues from the domains and

⁵ Van Zanden, Prak, 'Economic interpretation'.

⁶ Prevenier, 'Utilitas', 206–7.

the ordinary aids were not enough. From the twelfth century, an extensive casuistry arose on the issue of under what conditions the prince could ask his subjects for extra funds. The lawyers and theologians came to the conclusion that such requests should serve the general good or protect the *status regni*—the state of the principality. They also pointed out that there should be a balance between the good uses to which the prince would put the income and the resulting impoverishment of the people.⁷ In his letter to the duchess of Brabant—known primarily under the title of *De regimine judaeorum*—Thomas Aquinas confirmed these principles when he stated that the prince may only burden his subjects when there was an evident need, such as a foreign invasion, or if the prince's dignity was at stake (*pro honesto statu principis conservando*).⁸ Indeed the princes motivated their requests for extraordinary aids with all kinds of arguments, centring on such arguments as 'the public interest' and 'justice'.⁹ The events necessitating the raising of taxes could be a military threat, or equally the acquisition of another principality, the costs of negotiations with a foreign land, maintaining the princely estate of the duchess, the crown prince, or his spouse, alleviating the prince's debts, or restoring the domains. In practice, the money could easily be used for very different purposes; the generous donors were not in a position to check. Wim Blockmans rightly states that the main purpose of the arguments put forward was to gain the consent of the citizens.¹⁰

The princes were not easily satisfied. Money, power acquired through capital, became an ever more important factor in buttressing princely might and warfare. The competition among the emperors, kings, dukes, counts, and lords meant that they needed financial support more and more often, and they asked their subjects with increasing frequency for ever higher sums over longer periods. And their requests were met. This is how ultimately a more or less comprehensive system of annual taxes came into being. Of course, the lawyers and theologians also had a trick up their sleeves, by developing at the start of the fourteenth century the concept of enduring need, the *perpetua necessitas*, as indicated by Oldradus de Ponte (+1335) and the influential Franciscan Nicolas de Lyra (+1349). They proposed that the state needed the taxes for military, budgetary, and administrative purposes, in order to survive as an organization. The government could use the tax revenues, apart from for the incidental defence of the domain and to enhance the status of the prince, for instituting and maintaining state bodies such as a standing army and a civil service.¹¹

The question of whether, when, and for what purposes a prince could impose taxes is evident not only in the Latin work of scholarly legal experts and theologians but also in vernacular literature. Christine de Pisan (ca. 1364–ca. 1429), closely allied to the French and Burgundian court, discusses the matter of taxes with barely

⁷ Isenmann, 'Medieval and Renaissance theories', 31.

⁸ Edition: 'Epistola ad ducissam Brabantiae', in: *Sancti Thomae de Aquino Opera omnia*, 357–78.

⁹ Amberg, *Steuer*, 24.

¹⁰ Zoete, *Beden*, 141–2; Blockmans, *Volksvertegenwoordiging*, 381–2.

¹¹ Kantorowicz, *King's two bodies*, 284–91; Scordia, 'Exégèse'; *Roi*, 161–4; Ydema, *Hoofdstukken*, 97–9; Henneman, *Royal taxation... captivity*, 283–6.

concealed criticism in her *Chemin de longue étude* (1402–3). The ideal prince should in her view be rich: ‘He should not need any subsidies, capitation taxes, gabelles or aids, neither to cover all his costs, nor to equip ships and boats, to conquer lands, to defend the entrances of the territories, or to conduct major wars’.¹² Middle Dutch writers with a somewhat less courtly background particularly emphasized what taxes were not intended for. Jan van Boendale, for example, in the *Boec van der wraken*, remarked that Duke John I of Brabant, who by the way could do almost no wrong in his eyes, was widely cursed because he used the revenue from taxes to fund a life of luxury at court: ‘This great duke engaged in tournaments and jousts to prove his honour far beyond the scope of his income. He therefore imposed taxes on his subjects and laid claim to their property. For this reason they often cursed him.’¹³ We hear of similar reports in the anonymous *Ridderboec* (Brabant, ca. 1412), where the author complains about the ‘tribute and aid that is imposed on the poor people, without any need, good, or profit for the land’, and in the poems of Willem van Hildegarsberch.¹⁴

The theory reflects a reality in which the prince could not demand limitless taxes from his subjects. Where was the dividing line between imposing taxes and pure fraud or heinous robbery? Was the money actually used for the general good? Were the sums reasonable? The princes of the Netherlands—and ultimately the dukes of Burgundy, too—hoped to answer these questions through discussions with their subjects, represented in the provincial States or in the States-General. This applied not only in the powerful, urbanized core provinces, but equally in such principalities as Namur and Luxemburg. The problem was, of course, that these ‘representative institutions’ were by no means a representative reflection of the population, but rather the voice of the commercial and political elites, as we have already seen.

The history of taxation in the principalities of the Netherlands dates back to long before the political unification. At the beginning these were generally not common aids, raised by a whole principality, but financial contributions by individual towns, communities, or regions, often in exchange for particular rights or concessions. A relic of these can be found in Holland, when Albert of Bavaria succeeded his brother in 1389 as Count of Holland. He had to visit all his towns and lordships separately to determine the provision, amount, and duration of their donation.¹⁵ In fact, this is a late example; the ‘common aid’ developed from the thirteenth century, and was paid by the united subjects—whose standpoint was voiced by the representative institutions—of a whole principality. In Brabant, a first mention appears in the middle of the thirteenth century; in Flanders in

¹² ‘Ne lui fauldroit mettre subsidies, / Taillis, gabeles nē aÿdes / Pour soustenir diverses charges / Ne pour armer naves ne barges / Pour aller conqueror contrees, / Ne pour deffendre les entrees / De terre, ou pour grant guerre faite.’ Cited from: Scordia, *Roi*, 478–9.

¹³ ‘Dese hertoghe, dese grote here / Stont so zere na die ere / In tornoy, in tafelronden, / Dat hem ghebrac te menegher stonden / Aen sijn renten, so dat hi dede / Op sine liede setten bede / Ende moeste hebben hare haven / Daer si hem meneghen vloec om gaven.’ Snellaert, ed., *Nederlandsche gedichten*, 313, vs. 812–19.

¹⁴ Brussels KB, ms., 643–4, f. 72v, translation: Warnar, *Ridderboek*, 129–32. For Hildegarsberch’s view, see for example his poem ‘Twisschen wil ende waerheit’, *Gedichten*, nr. CXII.

¹⁵ Bos-Rops, ‘Incidentele gunst’, 21–2.

1297, in Zeeland early in the fourteenth century, and in Hainaut in the middle of the same century.¹⁶

Given this long history, it is not surprising that the dukes of Burgundy encountered all kinds of different arrangements for aids in the principalities of the Netherlands. These arrangements were based on earlier agreements with individual towns and privileged communities, set out in the privileges. The privilege of the Holland town of Geertruidenberg, for example, determined that an aid was only due in the event the prince was taken prisoner of war. The other towns in Holland had different stipulations, and Dordrecht was even exempt from almost any form of taxation.¹⁷ In general, though, the so-called *cas féodaux*, the feudal cases, were obligatory motivations for awarding an aid that was usually described as an 'ordinary aid'. Only the amount of the aid remained to be discussed. The arguments were taken from the feudal world and related to cases where the interests of the prince and community clearly ran parallel, for example, if the prince was taken prisoner of war, when his eldest daughter married, his eldest son received the accolade, or when he visited his feudal lord, the emperor or king. The importance of such events for the community was evident: the restoration of the princely administration, expanding the international network, strengthening the system of defence, and legitimizing the government.¹⁸

Walter Prevenier made a distinction between a German and a French tradition. In both, imprisonment, royal marriage, and accolade were compulsory motivations, but the French king could also demand money from his subjects when he went on a crusade.¹⁹ However, it is questionable whether this system operated smoothly. In the provincial world of the duchies and counties, at any rate, there was much greater diversity. In the first half of the fourteenth century, Flanders, Aquitaine, Guyenne, and Burgundy each had its own legislation. Susan Reynolds quite rightly proposed a much less formal, random reason for this: 'The three, four, or sometimes five aids became more common partly because the lords or their advisers heard about them and thought them a good idea'.²⁰ In the late fourteenth and early fifteenth centuries, the provinces of the Netherlands all had their own traditions with regard to the compulsory motivation for requesting aids (Table 8.1). In part, these were related to the *cas féodaux*, but in part, they had a different background.

There were all kinds of nuances and differences within the categories in Table 8.1. In Brabant, for example, an aid was only compulsory on the marriage of the eldest daughter. In Holland and Franche-Comté, the marriage of the count himself, his sons, daughters, or brothers were also included, whereas in Zeeland the aid applied to the marriage of the count, his eldest child, or his sisters.

¹⁶ Boland and Lousse, 'Testament', 386–7; Zoete, *Beden*, 33–4 and n. 14; Blok, 'Financiën', 65–6; Arnould, *Dénombrements*, 49–56.

¹⁷ Jansma, *Raad*, 59; Jansen, 'Modernization', 263; For Luxemburg, compare: Reichert, *Landesherrschaft*, 124–5.

¹⁸ Isenmann, 'Medieval and renaissance theories', 32.

¹⁹ Prevenier, 'Beden', 357, n. 5; Lot and Fawtier, *Histoire* II, 168–9; Henneman, *Royal taxation... war*, 17–19.

²⁰ Henneman, *Royal taxation... war*, 8–9. In the old duchy of Lorraine there were even seven *cas féodaux*: Arnould, *Dénombrements*, 38; Pouillet, *Histoire*, 443–4; Reynolds, *Fiefs*, 312.

Table 8.1. Compulsory motivations for providing an aid (situation ca. 1425)²¹

Province	I	II	III	IV	V	VI	VII	VIII	IX
Burgundy	X	X	X		X			X	
Franche-Comté		X		X			X		
Flanders	X	X		X		X			
Artois	X	X	X	X	X				
Brabant	X	X	X	X					
Hainaut	X	X	X						
Holland	X	X				X			
Zeeland		X	X	X		X	X		
Namur	X	X	X						X
Luxemburg	X	X							
Guelders	X	X	X						

Note: I. accolade; II. marriage (prince, daughter, or son); III. ransom; IV. inauguration; V. crusade; VI. visit to the emperor or the king; VII. war; VIII. procurement of an important territory; IX. maintenance of fortresses

When the income from these common aids and the domains was insufficient to satisfy the princely appetite, the extraordinary aid came into being. Forced by political circumstances or by his creditors, the prince would ask for extra funds. In such cases, the representative institutions could formally refuse to provide the money, but for good reasons this happened only rarely. On the one hand, such aids were in their own interest. The towns often stood surety for the debts of their princes, and in the event of non-payment the goods of the merchants who were travelling abroad were confiscated. On the other hand, the award of an extraordinary aid was an opportunity to demand major concessions relating to how the money would be spent; more will be said about this later.

Whenever possible, the dukes of Burgundy referred to the *cas féodaux* when asking for financial contributions. John the Fearless and Philip the Good, for example, when demanding an aid from their Flemish subjects, referred to their inauguration; the latter of the two also referred in 1430 to his marriage. In 1400 an aid was requested to provide the ransom to free Crown Prince John, and in 1421, for Philip's knighthood.²² During the reign of Charles the Bold the feudal motivation as it were, was raised to the higher level of the Burgundian union. In 1468 he summoned the Members of Flanders and the States of Brabant to Brussels to inform them of his wishes. He told them that he intended to institute a new aid in all his lands, based on three arguments:

He presented to them three reasons, on the basis of which he had cause to demand a large contribution, and all three points were reasonably and properly supported. The first was that it was common practice for all princes to ask their subjects for an aid on their inauguration. The second that an aid was due to him because of his coming

²¹ Zoete, *Beden*, 39; Bos-Rops, *Graven*, 41; Moureaux-van Neck, 'Aspect', 65–8; Arnould, *Dénombrements*, 38–40; Brouwers, *Aides*, I; Richard, *Ducs*, 365–9; Billioud, *États*, 114–15; Hirschauer, *États*, I, 14–15, 29, n. 2; Gresser, *Franche-Comté*, 240; Van Hommerich, 'Filips de Stoute', 170–8; Van Schaik, *Belasting*, 45; in Luxemburg there were huge regional differences; Reichert, *Landesherrschaft*, 124–5.

²² See the lists in Blockmans, *Volksvertegenwoordiging*, 610–17; Zoete, *Beden*, appendix III.

marriage. The third was on account of the war that he had maintained against the inhabitants of Liège, for the security and liberation of them all, and of all his lands. These three reasons coincided, and the aid could and must therefore be great, and could not be refused because these were all ordinary motivations.²³

In 1471 Charles again demanded a sum of 144,000 pounds to equip a standing army. The reasoning was not directly taken from the *cas féodaux*, but could be linked to the needs of the land or, to use the words of the receiver of Leuven, was intended to resist the malicious people.²⁴

An appeal could be made to *cas féodaux*, but this did not suffice for the annual or regular aid that came into force in the Burgundian period. During this time, there were fewer accolades, marriages, and inaugurations to celebrate. The feudal motivation now became usurped by a pragmatic reference to a particular circumstance: war or the acquisition of a principality, for example. The common resources, *deniers communs*, were thus used for a higher public interest that superseded the more limited world of a village or town, and ultimately that of the principality. Much more expressly than was the case with the receipts from the domains, the government was expected to use these resources for the public good. In 1420 the rebellious Brabant towns and noblemen stated that they were quite prepared to give Duke John IV an aid, provided 'it is used in support of his own honour and that of the Common Land, and the general complaints are dealt with, as is good practice'.²⁵ It is no coincidence that in 1473 Charles the Bold also referred to his role as protector of the public interest, and that his 'honour, authority, magnificence and power' reflected equally on his subjects.²⁶

Another—rather interesting—report comes to light in Holland, in 1452. During the negotiations on the extension of the aid, the towns and knights presented a series of complaints to the ducal ambassadors. One of these related to the payment of the missions of the members of the Council of Holland and others, the 'salaries and travel expenses made during the travels, embassies, and messenger fees that are spent... in cases concerning our lands'. In previous years the receiver of Holland had refused to pay these costs and he had them transferred to the Common Land, which in reality meant the towns. The duke promised that this would not happen again; the aid was at least in part intended to cover such expenses.²⁷ This brings us close to Nicolas de Lyra's concept of the *perpetua necessitas*.

8.3 THE FINANCIAL IMPORTANCE

In the previous chapters we saw that, at the start of the fifteenth century, the former dynasties were on the verge of bankruptcy. The revenues from the domains were no longer adequate to finance their wars, their courts, or their administrations.

²³ Chastellain, *Oeuvres* V, 373. As the aid was asked of the provinces individually, this meeting was not included in Cuvelier, *Actes*.

²⁴ SAL 5097, f. 8v–9r; Cuvelier, *Actes*, 164–79; Contamine, 'Réformer', 389.

²⁵ Brussels AR, MD 1483, f. 1r.

²⁶ Stein et al., 'Whose community?' 149.

²⁷ Smit, *Bronnen* II, 1, 42.

The dukes and counts found themselves in financial difficulty increasingly frequently and consequently asked their subjects for money on a more regular basis. They always came up with some reason for their request: the debts in foreign countries, the need to recover domains that had been alienated, the semi-permanent state of war.²⁸ The county of Hainaut can serve to illustrate this. Between 1385 and 1425, twelve aids were awarded, with increasing frequency: 1385, 1390, 1396, 1398, 1400, 1408, 1412, 1413, 1417, 1423, and 1424 (twice). The situation in Holland was similar (twelve aids between 1389 and 1425), as it was in Zeeland (eleven aids in the same period) and Brabant (fourteen aids between 1385 and 1430).²⁹ Although in the first instance, these aids were largely one-off gifts; later their term increased along with their amount. In 1314 the towns of Brabant awarded an aid with a term of six years to the underage Duke John III. In 1334 and 1374, longer-term aids were again provided, now over a period of six and four years, respectively. In Hainaut the first longer-term aid was granted in the 1390s, and in Holland in 1405 during the reign of Count William VI. The picture is similar in the duchy of Burgundy. Here, the States supplied a very large sum in 1373, as a means of offsetting the provincial salt tax for ten years. The same kind of arrangement was made in various other provinces (Table 8.2).

All these efforts and donations were in vain. Time and again the princely finances ran into trouble, and each time the debts were greater, forcing the dukes and counts to walk the treadmill of rising debts and decreasing revenues and to go

Table 8.2. Overview of the earliest occurrences of long-term aids in the Burgundian principalities³⁰

Province	First long-term aid
Burgundy	1373
Franche-Comté	1473
Flanders	1305
Artois	1452
Brabant	1314
Hainaut	1436
Holland	1405
Zeeland	1342
Namur	1471
Luxemburg	1360
Guelders	1473

²⁸ See, for example, Zoete, *Beden*; Rauzier, *Bourgogne*; Moureaux-van Neck, 'Aspect'; Arnould, *Dénombrements*; Bos-Rops, 'Incidentele gunst'; Van Schaik, *Belasting*; Petit, 'Villes'; Brouwers, *Aides*.

²⁹ Arnould, *Dénombrements*, 144–50; Bos-Rops, 'Incidentele gunst', 21–6; Bos-Rops, *Graven*, 344–63; Moureaux-van Neck, 'Aspect', 66–7.

³⁰ Avonds, *Brabant... Krisissen*, 34–75; Moureaux-van Neck, 'Aspect', 66–7; Pocquet du Haut-Jussé, 'Aides', 399; Arnould, *Dénombrements*, 89–90; Prevenier, 'Beden', 334; Van Werveke, 'Charges'; Bos-Rops, *Graven*, 353; Reichert, *Landesherrschaft*, 131.

cap in hand to their subjects. As a result, in the final years of the provincial dynasties, the taxes were an indispensable—almost structural—supplement to the income from the domains. In Brabant, Hainaut, Holland, and Zeeland, in particular, the tax burden in the early fifteenth century was very high. During the reign of Duke Anton of Brabant (1406–15), his subjects contributed an average of 44,700 pounds a year; under his son John IV (1416–27), an average of 27,000 pounds a year, and under Philip of St Pol (1427–30), 59,000 pounds. This was well above the amount that the Brabant domains generated. As a comparison, the oldest reliable data from 1445 show that at that time the estimated incomes from the Brabant domains amounted to just under 25,000 pounds. In Hainaut, it was in particular during the reign of Jacqueline of Bavaria and John IV that the aid burden rose to an average of over 11,000 pounds a year. As a further comparison, in 1445, the domain incomes amounted to around 24,000 pounds.³¹ None of the old dynasties managed to convert the aid into a constant source of income: the financial contributions made by the subjects continued to be ad hoc solutions for a structural financial deficit.

The dukes of Burgundy continued the policy of their predecessors; they, too, regularly requested long-term aids. Almost inevitably this resulted in the introduction of what I will refer to as a regular aid, an uninterrupted series of annual levies that led to taxation becoming a continuous factor in the state finances, and no longer purely a fire-fighting measure. These regular aids were in most cases set for a longer period—often six, eight, or ten years—and the next aid was often discussed before the current arrangement had reached the end of its term. Any shortfalls were bridged by advances or by loans that were subsequently not repaid. The process of renewing the aid soon became a kind of ritual dance: everyone knew when the current aid would expire, and everyone knew that the Burgundian administration would shortly be sending ambassadors to request a new financial injection. Everyone also knew that the aid would not be refused; it was only the amount and the terms of payment that were up for discussion. Let us take the negotiations in Holland in 1451–2 as an example. The previous aid, awarded in February 1445, had an expiry date of six years. In February 1451, Duke Philip indicated that a new injection of capital was needed. Initially he asked for 45,000 écus to be provided by his subjects in Holland over a period of twelve years. The first serious negotiation took place in August, but little headway was made. The Hollanders demanded that the duke should make his request in person, even though he was at that time fully occupied in Luxemburg. By January 1452, no further progress had been made other than that the towns and nobles had produced a long list of demands that the duke must agree to before they would give him any money. It was not until June 1452 that a compromise was reached. The Hollanders agreed to pay 40,000 écus for a period of ten years. The negotiations in the other provinces followed a similar course.

³¹ Moureaux-van Neck, 'Aspect', 67; compare Dickstein-Bernard, *Gestion*, 123; Arnould, *Dénombrements*, 144–9; Arnould, 'Estimation', 217; Blockmans, 'Low Countries', 294; for Holland and Zeeland, compare Bos-Rops, *Graven*, 134–43; Bos-Rops, 'Incidentele gunst', 22–6.

Table 8.3. Overview of the earliest occurrence of the regular aid in the Burgundian principalities

Province	Year
Burgundy	1473
Franche-Comté	1473
Flanders	1445/1468
Artois	1452
Brabant	1428/1436
Hainaut	1452
Holland	1423/1428
Zeeland	1427
Namur	1471
Luxemburg	1471
Guelders	1473

The regular aid in almost all provinces came into being during the Burgundian period (Table 8.3). In Holland and Brabant it appeared to date from shortly before the assumption of power by Burgundy, but on further investigation this proves not to be the case. In 1423 the towns and nobles of Holland awarded John of Bavaria an aid for a period of five years. After John's death in 1425, until the final payment date on Christmas Eve 1427, the aid was paid to the receiver-general of Holland, who now acted on behalf of Philip the Good. In July 1428 this was continued in the form of a new ten-year aid that signalled the start of a long series of years when an aid was paid without interruption until 1477. A similar situation occurred in Brabant, where the aid of 1428 following the death of Philip of St Pol was continued until 1434, and at the end of this period it was extended again.³²

In Flanders, the regular aid was not introduced until later, long after the county had come under the Burgundian administration.³³ The dukes of Burgundy had, however, previously received very substantial incidental aids and fines. A first attempt to introduce a regular aid was made in 1440, shortly after Philip the Good had defeated an uprising in Bruges. As a punishment for the revolt—and undoubtedly also to meet his own financial needs—the duke threatened to impose a high toll on the wool trade with England. The Flemish Members paid the immense sum of 840,000 pounds—280,000 pounds a year over three years—to have this threat lifted. This may seem to be an isolated incident, but as early as June 1444, the duke was back. He had incurred great costs, he informed them, in establishing his power in Luxemburg. He soon abandoned this reasoning, but not the demand for money. After negotiating for a year, eventually a new eight-year aid was agreed, for a total amount of 480,000 pounds. During these negotiations there were 'many obscurities and infringements' (*vele tourbels ende nieuwicheden*), as the representatives of

³² Bos-Rops, *Graven*, 359–64. Brussels Royal Library, ms. 17.010, 243–60.

³³ Boone, 'Ducs', 330–4.

Table 8.4. Development of the regular aid in Flanders

Concession	Duration	Period
1440	3 years	1440–3
1445	8 years	1445–53
1453	10 years	1453–63
1465	1 year	1465
1466	1 year	1466
1468	5 years	1468–72
1473	6 years	1473–7

the Franc of Bruges remarked somberly.³⁴ Indeed. The introduction of the regular aid in Flanders was thus a fact. It was only in 1465–7 that the difficult negotiations between duke and Members interrupted the otherwise uninterrupted series of tax years (Table 8.4).³⁵

In the less urbanized provinces of Burgundy, Franche-Comté, Namur, and Luxemburg, the regular aid was introduced even later, during the reign of Charles the Bold, when a general aid applicable to all the lands of the Burgundian union was under discussion. The delayed introduction in Franche-Comté, Namur, and Luxemburg may have been the consequence of their modest financial importance, and of the minor financial and political significance of the towns. Guelders was not included in the Burgundian system of aids. After the conquest in 1473, the duchy did pay a high fine, the so-called ‘compositiepenningen’, the payment of which was spread over four years. In 1477 an extension was no longer on the agenda.

It hardly needs to be said that the regular aids were not enough to meet the prince’s needs. Charles the Bold in particular needed money, a lot of money. He called on his subjects repeatedly for additional financial support, either in the form of supplementary aids, loans, or advances on the following aid. These, too, were generally granted. The Brabant aid account of 1468 is a good illustration of this. Apart from the income from the regular aid, it mentions several personal donations made to Charles, to his late wife Isabelle of Bourbon (+1465), and to his new spouse Margaret of York. These sums were later supplemented with amounts designated for specific purposes, such as the maintenance of a standing army and for the damage to Margaret of York’s palace at Male resulting from a fire.³⁶ It cannot be said that by the end of the reign of Charles the Bold a predictable, structured system of tax collection was in place, but a solid financial basis had been laid that was inconceivable in the pre-Burgundian period. The regular aid forms a kind of *basso continuo* of a composition, in which the other parts were played by incidental taxes and domain revenues.

In the sixties and seventies, the taxes were no longer regarded by the government as the sum of the provincial aids, but as an element in the centralized state finances.

³⁴ Blockmans, *Volksvertegenwoordiging*, 612–13; *Handelingen 1419–1467* II, 949–50, no. 906, 967–9, no. 925, 975–6, and no. 933, 934.

³⁵ Blockmans, *Handelingen 1419–1467* II, 1499–535, no. 1478–1517 and *passim*.

³⁶ Brussels AR, CC 15.727/III; 15.728/II.

This first becomes evident in 1462–4, when it appeared that Philip the Good was toying with the idea of summoning the States of all provinces of the Netherlands to Brussels to ask their subjects for a large aid. This was met with resistance from the States of Artois, who indicated that this initiative contravened the customs of the land. In the end, financial specialists conducted the negotiations with each province separately, although in a single, closely run series and with very similar results: first in Hainaut (early 1462), then in Holland and Zeeland (between March and September 1462), followed by Artois (November and December 1462), Brabant (from March to November 1463), and finally Flanders (January 1464 to March 1465).³⁷ With the exception of Flanders, the outcome in all provinces was the granting of a ten-year aid. The Members of Flanders had the courage to refuse the aid—a Pyrrhic victory, as would later become evident.

The ten-year regular aids, awarded in the period 1462–4, expired around 1473, and on 12 January 1473, the States of all the provinces of the Netherlands were summoned to Bruges, where they were presented with a demand for 600,000 crowns (720,000 pounds). This was followed by a second gathering of the States-General in February to accept their agreement to this demand and to inform them of how the amount was to be divided over the principalities. Ultimately, Charles agreed to a sum of 500,000 crowns (600,000 pounds). The Leiden representatives produced the following report:

When the other provinces had given their agreement, my merciful lord proceeded to the apportionment and division of the 500,000 crowns over the lands, to share them over all the lands, and he apportioned the provinces of Holland, Zeeland and Friesland together an annual sum of 127,000 crowns. The deputies of the knights and towns of Holland, Zeeland and Friesland considered that to be far too much, but they understood that in fact their first assessment had been for 150,000 crowns, and later 137,000. As friends had put in a good word for these lands, the duke had decided that they should pay 127,000 crowns.³⁸

This tax has gone down in history as the ‘great aid’. It was not only the procedure, but also the amount that was exceptional, not to say excessive. The 127,000 crowns (152,400 pounds) granted by Holland and Zeeland can be compared with the 60,000 pounds demanded from these provinces at the start of the sixties.

The southern provinces were also asked for a six-year aid in 1473. The States of Burgundy, Franche-Comté, and the neighbouring territories were summoned to Dijon to provide the duke with a further annual amount of 116,667 pounds—one fifth of the sum that the northern provinces paid—to be divided over Burgundy, Franche-Comté, and Auxerre (Table 8.5).

The absolute increase in the amount of aid went hand in hand with a relative growth. It is true that we only have reliable data available over a limited number

³⁷ Hirschauer, *États* II, 36. Blockmans mentions a cancelled meeting in Brussels on 6–8 October 1462: *Handelingen 1419–1467* II, 1463, no. 1448. The representative from Ypres had not realized that the meeting was not going to take place and was met with a closed door.

³⁸ Smit, *Bronnen* III, 233–4, no. 228; Wellens, *États*, 132–42; Cuvelier, *Actes*, 174–220; Van Gent, *Pertijelike saken*, 115–16.

Table 8.5. Division of the great aid of 1473 in the southern principalities³⁹

Province	Amount (pounds)	%
Burgundy	49,000	42
Franche-Comté	53,667	46
Auxerre	14,000	12
Total	116,667	100

of years, but the data we do have make it clear that the taxes were becoming an increasingly important element in the ducal finances, and certainly during the reign of Charles the Bold, they were indispensable to the state finances. In the period 1394–6, Philip the Bold's total income amounted to 518,600 francs. Of this, 63.6 per cent came from the domains; 20.4 per cent from gifts from the French king and others; and 15.9 per cent from the aids.⁴⁰ In 1419, shortly before the spectacular expansion of the union, the domains contributed 56.2 per cent to the ducal income; the gifts 32.9 per cent; and the aids just 10.9 per cent. The situation in 1394–6 and 1419 is scarcely comparable with that in the middle of the fifteenth century, when the composite monarchy assembled by the Burgundian dynasty was twice as large, and the gifts of the French king had dried up. Moreover, for the later period, the data are even more desperate, and we have to limit ourselves to educated guesses and the extrapolation of a few snapshots in time. A so-called state (*état*) of the income and expenditure dating from 1445 estimates the gross income from the domains at 316,000 pounds. This is the total of the income that the government managed to acquire. After deducting the outgoings of all kinds of lower receivers—particularly the provincial receivers-general—the remaining net income amounted to 171,000 pounds, the amount that ultimately went to the receiver-general of all finances.

In 1445, 38.3 per cent of the state income was derived from the taxpayers (Table 8.6). There is much more uncertainty about the ratio in 1468–73 because the exact gross income is not known. On the basis of the gross-net ratio in 1445, this can be estimated at around 450,000 pounds. The aids in 1473 amounted to 600,000 pounds annually for the Netherlands and 116,666 pounds for the southern

Table 8.6. Estimate of the importance of the aids for the Burgundian finances (1445, 1468–73)

Year	Annual net income from the domains	Annual gross income from the domains	Annual income from the aids
1445	171,000	316,000	196,000
1468–73	226,400	450,000	779,200

³⁹ Billioud, *États*, 407–8; Rigault, 'Débuts', 57–8.

⁴⁰ Van Nieuwenhuysen, *Finances... économie*, 53; Zoete, *Beden*, 151–9.

provinces, whereby an annual payment of 62,500 pounds has to be added that was imposed as a fine on the citizens of Guelders because they had resisted the takeover of power by Charles the Bold. This estimate gives a contribution from taxes of more than 60 per cent of the state income. In calculating this last percentage, all kinds of additional incomes—the taxation of fiefs, church assets, enforced loans—have been disregarded.⁴¹ The extraordinary revenues were much less important for the Burgundian treasury than for that of France. At the end of the reign of Charles VII (1422–61), only 2.8 per cent of the income came from the domains. The *taille* contributed 58.6 per cent, the *gabelle* 8.9 per cent, and the other indirect taxes 29.7 per cent.⁴²

8.4 THE DISTRIBUTION OF THE FISCAL BURDEN

It may well be that in the course of time the government came to assume an overall picture of the taxes, made up of an amount contributed jointly by all the provinces of the Netherlands, but for the subjects it was a different matter. During the Burgundian period, taxation was organized wholly on a provincial basis: requesting, approving, determining, and collecting the aid all took place in a dialogue between the government and the provincial States. It was only in 1473 that the States-General were summoned to Brussels to agree to award a sizeable aid, but even then ultimately the decisions were taken in the provinces themselves. Following on from the meeting of the States-General, Charles the Bold, in line with tradition, travelled to The Hague to ask the States of Holland again for the aid they had already granted him.⁴³ The taxes were collected in the principalities, although the surpluses naturally found their way eventually to the central government (Table 8.7).

The regions, towns, villages, farmers, and citizens were all concerned that they might be paying more than their neighbours. A fair and verifiable division of the tax burden was therefore essential to maintain good relations and to ensure there

Table 8.7. Receipt of the revenues of the aids at regional and central level

	Received regionally	Received centrally
Pre-Burgundian period	Treasurers	—
After the takeover by Burgundy until 1462/1470–3	Receivers-general	Receiver-general of all finances
1462/1470–3	District receivers	
1469–73		Receiver-general of the aids
1473–4	Receivers of the aids	Receiver-general of the aids
1474–7		Treasurer of the wars
After 1477	Receivers-general	Receiver-general of all finances

⁴¹ Arnould, 'Estimation'; Arnould, 'Budget'; Blockmans, 'Low Countries'.

⁴² Contamine, 'Réformer', 390; Scordia, *Roi*, 9.

⁴³ Van Gent, *Pertijelike saken*, 115–16; Arnould, 'Privilèges'; Hirschauer, *États* II, 38; Petit, 'Villes', 139; compare Gorissen, 'Caractères', 568.

was support for the payment of taxes in the community. This is a situation that we recognize today, but it applied equally in the late Middle Ages. The central government had no idea. It is then not surprising that in particular, the meetings of the States were concerned with the division of the tax burden. In Flanders the basis for the division was made at the start of the fourteenth century.⁴⁴ In the years following 1404, the distribution criteria were revised because floods had seriously disturbed the financial power relations within the county. In 1408, at the insistence of the three Members, a commission was set up to review the economic and demographic situation in the towns and castellanies. The commission comprised seventeen members: on behalf of the duke there were three nobles, four bailiffs, the receiver-general of Flanders-Artois, and a *maître* of the Lille audit office; there were eight delegates representing the Members. They devised a redistribution model that was referred to as the 'transport of Oudenburg', after the place where the commission met.⁴⁵ In Brabant, the renewal of the aid in 1436–7 gave rise to a recount of the households. This was carried out by a commission comprising four members appointed by the duke and three by the nobility. Representatives from Louvain and Brussels served as inspectors.⁴⁶ In Franche-Comté, the duke's officials determined the amount of each person's contribution, in consultation with representatives of the towns.⁴⁷

The distribution models were typically of a theoretical nature. They reflected the relations between the towns and villages, regions and manors, but they did not relate to the taxpayers individually. Most towns paid their taxes out of the public resources—the money that in normal circumstances was intended for local purposes: maintaining or building the town walls, the market square, the weigh house, the town hall, for instance, or for the running costs of the local administration for staff and donations.⁴⁸ This money was almost always collected from thirsty citizens who paid excises on their beer and wine consumption. Outside the large towns, in the villages in rural areas, there was more variation. In some cases, the community was responsible, and in others, the individual villagers. In some areas, as in the Land of Heusden, land ownership determined the amount that a person had to contribute, whereas in others it was the number of cows a farmer owned; sometimes it was the

⁴⁴ Van Werveke, 'Charges'; Monier, *Institutions financières*, 27–9; Prevenier, 'Beden', 334; Maddens, *Beden*, 36–7; Van Werveke, *Gentsche stadsfinanciën*, 258–9; Merlevede, *Ieperse stadsfinanciën*, 233–7.

⁴⁵ The initiative of the duke was preceded by a dispute among the cities: Ypres wanted the old transport to be revised and Ghent and Bruges wanted it maintained: Zoete, *Handelingen* I, 238–40, no. 164, 166, 172; Buntinx, 'Enquête', 81 and *passim*; Maddens, *Beden*, 41–67.

⁴⁶ Moureaux-Van Neck, 'Aspect', 79. Cuvelier, *Dénombrements*, LVII, C–CII (complete aid: C–CXXXV). According to Dickstein-Bernard (*Gestion*, 129 and n. 80) the town receivers were replaced here by the duke's own receivers. Compare: Brussels AR, CC 15.723, f. 2v and 3r.

⁴⁷ Gresser, *Franche-Comté*, 237–8. Elsewhere, too, the distribution model was adjusted; this happened in Holland, for example, where the award of an aid of 50,000 écus in 1428 led to the traditional oar tally being replaced by a system that was no longer based on the number of oars in a vessel of war from the time of the Vikings, but on the prosperity of the towns and villages. In the period from 1428 to 1435, a series of new censuses was carried out in Hainaut: Jansen, 'Modernization'. The innovations in Hainaut are part of a longer series of censuses that dates back to the start of the fifteenth century: Arnould, *Dénombrements*, 128–9.

⁴⁸ Rigaudière, 'Donner', 13–27, 44–52.

income from trade, and sometimes a combination of all of these. The social status of the taxpayer could also play a role. In the duchy of Burgundy, in the fifteenth century, a distinction was still made between free and non-free households.⁴⁹

The inhabitants of the Burgundian Netherlands felt the effects keenly, but at central level, the administration had little insight into the prosperity and financial situation of the provinces. This is nicely illustrated by the reasoning, built up around the French 1,700,000 *clochers*. In the fifteenth century, there were presumed to be 1.7 million parishes or church towers (*clochers*) in France. If the poorer parishes were left aside, this would leave 400,000. All of these, it was assumed, were capable of maintaining a soldier valued at 15 pounds per month, a sum that was to be collected by the central government. This sum meant that the king of France could count on an annual tax revenue of 72 million pounds. However, this was an illusion, because in reality, the French tax system never collected more than 4.7 million pounds, less than 7 per cent of the expected sum. This myth shows the ignorance of the French administration. The situation was little better in the Burgundian lands, where this particular myth was also not unknown: the above calculation was made by the Burgundian chancellor Guillaume Hugonet.⁵⁰ In 1440 the duke's chamberlain and diplomat Guillebert de Lannoy advised his lord, in line with the French example, to have a count made of the number of church towers in the Burgundian lands. He decided to make an estimate before the count was made. Given that the area of the Burgundian possessions covered around half to one third of the Kingdom of France, he estimated the number of parishes at 400,000 to 600,000. Based on an annual contribution of twenty pounds per parish, Guillebert calculated that the aid would bring in some 8 million pounds—if this had been even vaguely close to the truth, Philip the Good would have been delighted!—although at the same time, out of caution, he added that even half this amount would be highly beneficial for the duke's affairs.⁵¹

The games being played at the highest level in the administration continued to be a matter of theory, but in the sixties and seventies, a solution had to be found for determining the amount of the taxes to be paid by each province. Eventually pragmatism won the day. The amount of the taxes would be based on the sums that applied before the takeover of power by Burgundy. What this meant in real terms can be demonstrated using the example of Brabant. In 1428 the people of Brabant awarded Duke Philip of St Pol an aid of 56,250 pounds a year for a period of six years. After the death of the duke, this amount continued to be paid to Philip the Good. Following several interim loans, a new aid was awarded in 1436, equal to that of 1428. In the following decades, the amount of the Brabant aid showed a slight dip, but eventually in 1462, it was back at around the 1428 level. The same occurred in Holland and Zeeland. In 1423 the towns and nobles agreed to award

⁴⁹ Marsilje, 'Modes', 161; Hoppenbrouwers, *Middeleeuwse samenleving*, 459–60; Leguai, 'Démographie', 76–9.

⁵⁰ Contamine, 'Contribution'; Grummit, Lassalmonie, 'Royal public finance', 119–21.

⁵¹ Contamine, 'Contribution', 426; Lannoy, *Œuvres*, 487–8; Vaughan, *Philip the Good*, 260–1. In reality, the Burgundian tax revenues in 1445 amounted to less than 200,000 pounds: Blockmans, 'Low Countries', 294.

John of Bavaria a five-year aid. The exact sum is not known, but it probably amounted to around 60,000–65,000 pounds a year.⁵² After the final payment in 1427, Philip the Good received a one-off amount of 58,500 pounds, and in July 1428, this was converted into a ten-year aid for the same amount.⁵³ Here, too, we see a declining trend: by 1462 the aid had fallen to around 45,000 pounds. A similar pattern can be seen in the contributions from Hainaut and Artois. Because of the difficult relationship between Philip the Good and—in particular—Ghent, the contribution from Flanders exhibits a much more erratic course (Figure 8.1).

This was the principle on which the government entered into discussions with the provincial States in the years from 1462 to 1465. The actual situation was simplified to give a very basic distribution model: Flanders, Brabant, and Holland were charged an equivalent amount, Zeeland half of this, and Hainaut one fifth. The contribution from Artois was a fixed amount of 25,200 that had been determined historically (Table 8.8).⁵⁴ Central government entered into negotiations again in 1473 on the basis of this model that resulted in Flanders and Holland–Zeeland receiving demands for comparable amounts. Two decades later, in 1495, this same distribution model was applied again to distribute an aid of 500,000 crowns over the provinces of the Netherlands.⁵⁵

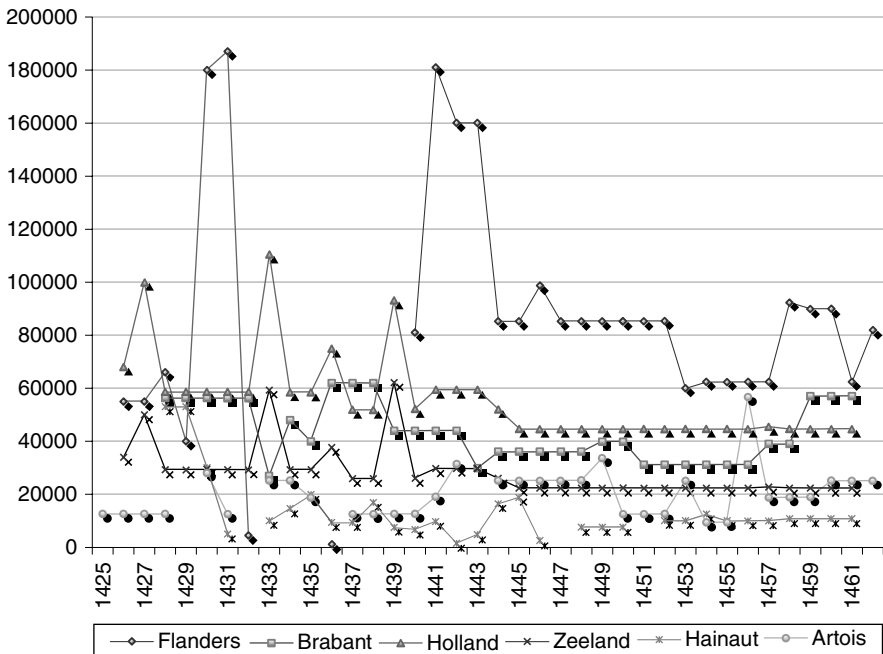


Figure 8.1. Amount of the aids and fines in the core provinces, 1425–63 in pounds

⁵² The general amount of the aid was calculated on the basis of the contribution from Zeeland, that amounted to 16 groats per gemet (ca. 4,000–4,500 m²), and in 1428, 14 groats. Bos-Rops, *Graven*, 363–4.

⁵³ Bos-Rops, *Graven*, 359–64.

⁵⁴ Meilink, 'Holland'.

⁵⁵ Blockmans, *Volksvertegenwoordiging*, 636.

Table 8.8. Relative positions between the core provinces in the distribution of the aids, 1462–4⁵⁶

Province	Aids expiring between 1462 and 1464		Demands for new aids between 1462 and 1464		1473	
	Pounds	%	Pounds	%		
Flanders	62,400	28.0	60,000	24.3	127,000	25.4
Brabant, Limburg	57,000	22.6	60,000	24.3	118,400	23.7
Holland	45,000	20.2	60,000	24.3	135,000	27
Zeeland	22,500	10.1	30,000	12.2		
Hainaut	10,800	9.8	12,000	4.9	35,500	7.1
Artois	25,200	11.3	25,200	10.2	30,800	6.2
Other provinces					53,300	10.7
Total	222,900	100	247,200	100.2	500,000	100.1

Regarded objectively, the distribution over the provinces was of course far from optimal. The number of inhabitants of Flanders was estimated to be nearly three times that of Holland, with Brabant somewhere in between (705,000, 254,000, and 399,000 inhabitants, respectively), while these provinces were required to contribute the same amount in taxes.⁵⁷

In 1469 Charles the Bold ordered a census to be carried out of the number of households in all his lands. His reason for doing so is uncertain: it may have been in order to arrive at a fairer and more acceptable distribution of the taxes, or to relieve the provincial States of a means of stalling and frustrating the taxation process. Or, as so often happened, it may simply have been in imitation of the French example. We don't know his reasoning, but in any event, local notables—aldermen, bailiffs, or parish priests—were required to declare under oath how many households there were in their town or region. A large part of the coordination and the communication with the local authorities was entrusted to the audit office at Lille.⁵⁸ Charles' plan met with varying degrees of incompetence, unwillingness, and resistance. The receiver-general of Namur reported immediately that he was not in a position to comply with the order because of a state of war; the truth was probably that, fearing the wrath of their fellow citizens, the town dignitaries were reluctant to cooperate. The audit *maîtres* from Lille suggested that it would carry greater weight if Charles were to write to the bailiffs and receivers personally, although apparently nothing came of this. In November 1469 the *maîtres* were forced to conclude that it was impossible to give a complete picture for Flanders:

We have been very diligent and have spoken repeatedly with, and written carefully to, the three district receivers of the aforementioned land. We ourselves have on their advice sent a written request to various officers of the law courts of the land.

⁵⁶ Maddens, *Beden*, 7.⁵⁷ Blockmans, *Metropolen*, 541.⁵⁸ De Smet, 'Dénombrement', 145–8; Zoete, 'Haardtelling', 60; Brussels AR, CC 134, f. 95r–95v. A similar initiative took place in France in 1464: Arnould, *Relevés*, 39–40.

In spite of this, we have not been able to acquire a full overview of the villages and households.⁵⁹

After a great deal of complex reckoning, the majority of the results eventually materialized, partly based on the older regional settlements, partly on the basis of new surveys. In 1469 and 1470 a census was made of the households in Flanders, Hainaut, Artois, and Namur, within the district of the Lille audit office. It didn't end there. At the request of the States of Brabant the audit office in Brussels had carried out a household census in the province a year earlier. In 1469 and 1470 Limburg and Luxemburg followed suit.⁶⁰ Figures were also available for the duchy of Burgundy. Censuses were held here regularly when the duke imposed an aid, also in the sixties and seventies.⁶¹ However, there was still a lot of data missing: under pressure from the nobles and towns of Holland and Zeeland no census was held in these counties, nor were they carried out in Franche-Comté and Guelders. More importantly, some of the large cities in Flanders and Brabant also refused to cooperate, which meant that the results were far from a true reflection of the situation. The conclusion that can be drawn is that this bureaucratic exercise was ineffective. Little or no use was made of the information gathered to distribute the great aid more fairly over the different provinces; instead, they kept to the general principle that had been established after 1462–4.

8.5 CONCESSIONS

In the summer of 1417 John the Fearless hoped finally, after four years, to be able to enter Paris again and resume his lucrative position as guardian to the insane King Charles VI. First, he needed to defeat his great enemies, the Armagnacs, and to do this he needed a great deal more money. In July 1417 he approached his Flemish subjects, who, it goes without saying, were not keen on the dynastic adventures of their prince. Following brief negotiations, however, they were prepared to make available a sum of 240,000 pounds that the duke could use to send an army of 10,500 men into battle. This financial injection did deliver a clear military success: in 1418 Paris was seized. The gesture was not only costly for the people of Flanders; John the Fearless, too, had to pay dearly for his ambitions. The powerful major cities set out in five articles an arrangement for the administration of the county during the absence of their prince. The main content of this document, however, comprised a number of commercial concessions: access to the French market had to be guaranteed, the trade treaty with England had to be extended by twelve years, and a new coin had to be minted in line with the specifications of the

⁵⁹ De Smet, 'Dénombrement', 148–50.

⁶⁰ Arnould, *Dénombrements*, 159–60; Cuvelier, *Dénombrements*, 60–3; Arnould, *Relevés*, 13; Grob and Vannérus, *Dénombrements*, 601–8; Petit, 'Villes', 136; Petit, *Aides*, 229–33. An inventory was also made of the households in Boulogne, Liège, and Picardy. These provinces are not taken into account here.

⁶¹ Garnier, *Recherche*, 4; Bautier, Sornay, and Muret, *Sources* I, 2, 410–17.

four Members.⁶² The duke was obliged to meet these concessions, as he himself explains:

For our own wellbeing and for the public good of our land of Flanders, we wish to maintain the land and our subjects there in justice and reason and to protect them against disturbance and harm, so that trade, through which our aforementioned land is mainly maintained, can continue, in the service of the common good.⁶³

The complaints and concessions made in 1417 were not the only ones. In 1405, 1414–15, 1425, 1453, 1455–6, 1462, 1464, 1466, 1473, and 1477, the requests for extra finances were also met with counter-demands from the Members. In Hainaut, Holland, Zeeland, and Brabant, lists of complaints or demands were often drawn up and included in the negotiations on the award of an aid. In most cases, these demands were also largely met. The Holland towns and nobles produced a list of complaints in 1451–2, consisting of thirty-one articles. The list has been lost but we do have the text of eighteen charters with concessions, all issued on 11 June 1452.

The concessions made by the Burgundian government were in part focused on the political, financial, and sometimes even the geographic situation in the provinces. In many instances, the concessions to the Flemish Members related to the political and judicial autonomy of the cities, while those made to the Holland States were often aimed at strengthening the provincial institutions. In Hainaut the emphasis was on judicial sovereignty for the provinces and on measures to combat the arbitrariness of government officials. Some of the concessions were of a general nature, concerned with public matters, although they at the same time provided an indispensable foundation for the economic status quo, something that economists would refer to as the preservation of property relationships. The concessions made to the nobles and towns of Holland of 1452, for example, focused mainly on strengthening the legal security of the citizens and the stability of the currency. We saw previously how almost the complete administrative infrastructure in Holland was enforced during inaugurations and the negotiations on the aids. Some of the concessions can only be connected with the private interests of the urban and noble elites. The duke indicated, for instance, that he would reserve money to broaden the toll exemptions of the merchants, to keep the lordships free of taxes, and to pay off the old debts on the count's offices—money that was invested by the nobility and the upper echelons of the towns. He also undertook not to put any obstacles in the way of trade.⁶⁴ The privileges afforded to the other provinces also show this same mix of commercial, provincial, and local interests, with a clear emphasis on the political, legal, and financial interests of the urban elites, who also agreed to the aids.⁶⁵ This is nicely illustrated by Charles the Bold's

⁶² Vaughan, *John the Fearless*, 170–1; Blockmans, *Volksvertegenwoordiging*, 610–11.

⁶³ Cauchies, *Ordonnances*, 444–6, no. 273.

⁶⁴ Smit, *Bronnen* II, 2, 414–66–502; II, 1, 33–48.

⁶⁵ Zoete, *Beden*, 224–32. For examples for the other provinces: Godding, *Verordeningen*, 305–8, no. 201, 406–8, no. 257; Smit, *Bronnen* II, 1, 49–100; Smit et al., *Bronnen Zeeland*, 242–5, no. 803, 302–9, no. 921; Arnould, 'Privileges'. Compare the concessions made during the crisis of 1477: Blockmans, 'Constitutionele betekenis'.

undertaking in 1473 not to station any troops in Flanders. What at first sight seems to be a very general concession, that would benefit all the inhabitants of Flanders, proves on closer inspection to have a commercial background: this concession was agreed because the soldiers found it difficult to fit in with the merchants and inhabitants (in that order, 'marchans et habitants') of the country, 'totalement fondé sur le fait et cours de la marchandise'.⁶⁶

The self-interest of the local administrative elites showed itself shamelessly in Brabant in 1459. In exchange for 'certain sums of money'—an amount of 32,500 guilders (78,000 pounds), to be paid over a period of three years—Philip the Good was prepared to halt an investigation into their administrative integrity:

With regard to all kinds of corruption and improper administration of the law and the justice that is said to have been committed by our officers and aldermen and also by the small lords, both in the execution of their office, the exercising of legal power and the maintenance of order, allowing malefactors to go unpunished. These issues also concern such matters as usury, pre-emption, borrowing money for interest and other unlawful trading practices that take place everywhere in our lands and generally go unpunished. All this is greatly to the disadvantage and harm to the public interest and peace of our lands and subjects.⁶⁷

At the same time, a sum of 40,000 guilders (96,000 pounds) was paid in Flanders to avoid a similar investigation. The situation was the same in Holland. In 1476 Dordrecht, Delft, Leiden, Amsterdam, and Gouda gave the duke 60,000 pounds—and a further 4,500 pounds was paid to several influential advisers—to avoid the urban councils being handed over to the members of the Hook faction.⁶⁸

The introduction of the aid created not only political but also financial scope. The biscuit went to the duke, but the crumbs—and sometimes more than the crumbs—went to provincial or local beneficiaries. Quite simply, bribes were paid to delegates of the duke who were involved in negotiating the aid. In 1437 these officials in Holland received 15,000 pounds, 11 per cent of the total amount of the aid. They were also given gifts and bonuses by the individual towns. In Guelders (1474) several provincial and central officials received an annual payment of almost 1,700 pounds from the fines that the province had to pay to Charles the Bold. We can state tentatively that a similar practice existed in Flanders and probably also in the other provinces of the Burgundian union, but further research is needed to demonstrate the extent of this practice.⁶⁹ The real financial scope was at a different level, in the grey margin between the tax demand to a particular community and the collection of the money from the individual citizen or farmer.

The award and payment of the aid in Zeeland is a good example of how aids were arranged, although it should be said that this may not be truly representative.

⁶⁶ Gilliodts van Severen, *Inventaire* VI, 58–9, no. 1128.

⁶⁷ Godding, *Verordeningen*, 447–9, no. 275. Several months later a number of measures were taken to combat corruption by the bailiffs: *ibid.* 449–59, no. 276. Compare the concessions made by Charles of Charolais to the States of Holland in 1462: Smit, *Bronnen* II, 1, 73–4.

⁶⁸ Van Gent, *Pertijelike saken*, 138–41. Compare the gifts in 1469 and 1472: *ibid.*, 92–3, 109–30.

⁶⁹ Damen, 'Taxation', 36, 40–2; Dumolyn, *Staatsvorming*, 110–11; Blockmans, 'Corruptie', 237–8.

Once the amount of this aid was determined, it was distributed over the landowners, largely freehold farmers and citizens who were liable for taxes on the basis of the size of their estate. The land in Zeeland was divided into a part known as 'steenschietens', named after the Steen in Middelburg, where the transfer of taxes took place, and a 'free' part. When a 'steenschietens' aid was given, which was mostly the case during the fifteenth century, the free part was not paid to the duke, but to the 'ambachtsheren', local noblemen.⁷⁰ These were quite considerable sums. The ten-year aid of 1428–38 provided Philip the Good with an amount of 378,000 écus, but the 'ambachtsheren' received the far from insignificant sum of over 200,000 écus (35 per cent of the total amount) that they could keep for themselves.⁷¹ This applied *mutatis mutandis* for the majority of the aids in Zeeland in the fifteenth century. This shows clearly that the 'ambachtsheren' had an interest in seeing that the aid was as high as possible. Moreover, they had the political power to influence the amount of the aid: as nobles they had a deciding vote in the States of Zeeland regarding the awarding and setting of the aid.⁷² Elsewhere, too, the elites appeared to profit from the growing flows of taxation, but further research is needed to verify this.⁷³

All this makes tax collection a highly sensitive issue, which was how Philip the Good also experienced it (Figure 8.2). He started his speech to the city council of Ghent with such positive words: 'Dear people, loyal friends, you all know that I have lived in this city since a child, and that I grew up here. I therefore hold this city and you yourselves dearly; I feel more favour and friendship to this city than to any other city in my lands.'⁷⁴ Whenever anyone speaks to you in such glowing terms, you know you need to be on the alert. That was certainly the case here; the catch was soon revealed. The speaker informed his audience that he needed money urgently for the many wars he had had to wage and to finance the recent acquisition of the duchy of Luxemburg. In earlier times, it was the farmers who were so much burdened with these costs that they were completely exhausted ('zo huut ghemolcken dat zy niet voorder en moghen') and now, too, the prosperity of the city was under threat. He proposed introducing a *gabelle*, or salt tax, following the example of the French, that would not be paid by the poor of the city, but mainly by the wealthy foreign merchants. The Ghent city council knew better: this was an attempt at raising taxes and a redistribution of wealth. The proposal was rejected. This embittered the duke's relations with his 'loyal friends' so much that they rose up in revolt a few years later.⁷⁵

⁷⁰ Fruin, 'Schot', 58–9; Van Steensel, 'Edelen'; fraud was also prevalent in the division of the 'steenschietens' and 'free' parts, as became apparent in 1430: Stein, 'List', 321, art. 10.

⁷¹ This ratio seemed to be reasonably steady. In the sixteenth century Bewestenschele maintained the ratio between the *steenschietens* and the free parts at around 60:40. In the much smaller Zeeland Beoostenschele the ratio was 85:15: Gosses, *Rechterlijke organisatie*, 43–5; Fruin, 'Schot', 71, 76–7; Dekker, *Zuid-Beveland*, 460.

⁷² Van Steensel, *Edelen*, 74–6, 203, 308; 'Edelen'.

⁷³ Van Uytven, '1477', 264; Blockmans, 'Corruptie', 237–8.

⁷⁴ *Dagboek van Gent* I, 57–68; obviously, the background to the Ghent uprising is far more complex: Haemers, *Gentse opstand*, 124–47. For the political events, compare: Vaughan, *Philip the Good*, 305–17; Boone, *Gent*, 226–35.

⁷⁵ *Dagboek van Gent* I, 57–8.



Figure 8.2. Marinus van Reymerswael. The tax collector. Bayerische Staatsgemäldesammlungen, Alte Pinakothek, inv. no. 718

Much lower down the social ladder, Iwijn de Mol and Peter van Best, dignitaries in 's-Hertogenbosch, experienced personally the strong emotions aroused by the division of the aid. On 23 November 1437, a crowd of craftsmen gathered in front of the town hall: 'With fearsome gestures, striking with hammers and stabbing

with knives, they reached the council chamber, intending to kill the aldermen. Sheriff Iwijn de Mol and Peter Gooiertszoon van Best had to escape by the back door in order to avoid being hunted down.⁷⁶ Iwijn and Peter were lucky. Twenty-five years later, two representatives of the States of Zeeland who came to allocate the taxes in Zierikzee, were less fortunate. They were murdered in the town hall by the crowd and their bodies were thrown out of the window.⁷⁷ These are just a few examples of many. In 1421, Duke John IV himself clearly understood the sensitivities when he tried to win the 'simple folk' over by going to the Grand Place in Brussels and calling out: 'All tolls and excises are abolished!'⁷⁸

8.6 CLERGY AND NOBILITY

In all provinces, the taxes were paid primarily by the third order. But even the introduction of a regular aid and raising the tariffs could not satisfy the government's greed. In order to finance his military expeditions, Charles the Bold's eye fell on the assets of the two privileged orders: the clergy and the nobility. Before the Burgundian assumption of power, the contribution made by the clergy to the taxes was modest or non-existent. The clergy were taxed incidentally, with the church 'tithe' in Flanders going directly into the count's treasury in 1268, 1274, 1288, 1290–1, 1294, 1297, 1306, 1330–1, and 1357. To avoid incurring any problems, these taxes were generally motivated with a reference to church issues. Elsewhere, too, it was not customary to tax the clergy. Attempts to do so in Holland, Namur, Luxemburg, and Burgundy met with great resistance.⁷⁹ Brabant was in this respect an exception. Here, the clergy had paid towards the common aid since the late thirteenth century, although on a voluntary basis. At first they contributed one third of the total amount, but in the fifteenth century their share quickly fell and amounted to a bare 4 per cent in 1473.⁸⁰ This preferential position did not escape the notice of the central government of Burgundy, and during the reign of Charles the Bold an important measure was taken, with the introduction of the so-called tax on the *nouveaux acquets*, to see that the clergy also contributed to the common interest.

In a letter of 10 July 1474, Charles decreed that all monasteries and other religious institutions were required to pay tax on the property they had acquired over the previous sixty years. The background to this was that the status of a piece of land changed at the point when it became the possession of a religious institution. Not only were the assets then subject to ecclesiastical law, but moreover they no longer provided the government with excise duty and income. This had an effect on the domain income. It was therefore only logical that this so-called amortization, the

⁷⁶ 's-Hertogenbosch City archives, Oud archief 535/II, f. 58r–58v; compare: Godding, *Législation*, 25–6.

⁷⁷ Smit et al., *Bronnen Zeeland*, 296–7, no. 910. ⁷⁸ BY VII, vs. 12.637–12.662.

⁷⁹ Prevenier, 'Verhouding', 12–26; Van Uytven, 'Wereldlijke overheid', 98–106; Jongkees, *Staat*, 21, 17–21; Van Schaik, *Belasting*, 91–5; Reichert, *Landesherrschaft* I, 127–32; Hirschauer, *États* I, 36; Billioud, *États*, 131–3; Richard, 'États', 302.

⁸⁰ Uytven, 'Wereldlijke overheid', 98–106.

transfer of land to religious institutions, was dependent on the approval of the prince, who was happy to receive payment in return for this approval.⁸¹

In the parts of the Burgundian lands that fell within the Kingdom of France, there was already a tax on newly acquired assets, the *nouveaux acquets*. A similar tax was imposed in the duchy of Burgundy from the 1280s and 1290s.⁸² In Flanders this practice was introduced in 1389, probably by Philip the Bold, and in 1396 a more general ordinance was issued under which the church institutions were obliged to provide evidence of the assets that they had acquired over the previous forty years. Later writs date from 1436 and 1446. This tradition had an even older history in Artois, with mentions dating from the final years of the thirteenth century.⁸³ The situation was quite different in the parts of the Netherlands that belonged to the Empire, where there was no practice of taxing the *nouveaux acquets*.⁸⁴ In 1474 the clergy were shocked, not so much by the idea of having to pay these taxes, but by the amount of the claim. Like the French kings, Charles now demanded 5 per cent of the annual income. As a percentage this may not seem excessive, but over a period of sixty years it could amount to three times the annual income from the assets. Charles' ordinance therefore aroused an enormous protest, particularly in the provinces that were part of the Empire. Under pressure from the clergy, the States of Brabant brought a legal case before the Parliament of Mechelen, in which they were quickly joined by monasteries in Holland, Zeeland, and Namur. It soon became apparent that the Brabant institutions were prepared to buy off Charles' demands for a sum of 16,000 pounds.⁸⁵ Following this, the resistance was centred primarily in Holland. Refusals to pay were met with threats, kidnappings, and the confiscation of assets. The report in the *Divisiekroneik*, although by no means impartial, gives a reasonable impression of the situation. After a speech by Antoine Haneron before the assembled clergy, courtier Arthur of Bourbon spoke:

Gentlemen, do not be angry or distrustful of *maître* Antoine, because he is doing much less than he was instructed to do. If you do not adequately obey him and allow him to carry out his instructions, executors will come to Holland who will make no distinction between church and stable, chalice and pot, salver and dish, because unfortunately the same has happened in Flanders.⁸⁶

Eventually, the clergy of Holland realized they had no option but to meet the duke's demands.⁸⁷

In spite of all the opposition, the introduction of the tax on the *nouveaux acquets* was successful. In almost all provinces of the Netherlands, with the exception of

⁸¹ Compare: Paravicini, 'Raimondo de Marliano', 1116–20. ⁸² Richard, *Ducs*, 376–9.

⁸³ De Moreau, 'Législation', 48–53; Prevenier, 'Verhouding', 26–7; Bautier, Sornay, and Muret, *Sources* I, 2, 345–50.

⁸⁴ De Moreau, 'Législation', 49–53; Van Uytven, 'Wereldlijke overheid', 110; undoubtedly this was one of the reasons for Philip the Good to agree with his vassals in 1441 and 1446 that an amortized fief could be bought back: Koerperich, *Lois*, 32.

⁸⁵ Van Uytven, 'Wereldlijke overheid', 110–11; Koerperich, *Lois*, 32.

⁸⁶ Aurelius, *Cronycke van Hollandt*, Div. 30, cap. 87.

⁸⁷ Jongkees, *Staat*, 221–40; Post, *Kerkgeschiedenis*, 77–9.

Table 8.9. Revenues in the Netherlands from the tax on the *nouveaux acquets*, 1474–6⁸⁸

Province	Amount
Flanders	40,478
Brabant and Limburg	17,390
Hainaut	4,874
Holland	10,988
Zeeland	2,600
Artois	19,026
Namur	600
Guelders	–
Luxemburg	–
Total	95,356

Luxemburg and Guelders, this tax was duly paid (Table 8.9). The income from the northern provinces amounted to almost 100,000 pounds, a substantial sum in relation to the great aid of 600,000 pounds a year from these same provinces. On the negative side, Charles' avarice meant that he was hated by many of his subjects. His fall at Nancy was regarded as a clear sign from Providence.⁸⁹

Nor did the nobility manage to escape the financial ambitions of the Burgundian administration. The nobles' exemption from taxation applied equally for all the principalities examined here, but the interpretation of who was exempt and who was not could differ.⁹⁰ In Brabant and Guelders these were the bannerets, owners of the large fiefs, whereas in Holland, Flanders, and Namur, where lifestyle was the criterion, the exemption was much broader. We saw previously that in Zeeland tax was raised on land ownership irrespective of the noble status of the owner.⁹¹

A systematic approach to the exemption of the nobility from taxation started in the final years of Philip's rule. In fact, it was an appeal to the somewhat outdated feudal principle of *auxilium*, the support that the vassal was expected to pay to his feudal lord. John the Fearless and Philip the Good had already called upon their vassals in Walloon Flanders in 1417 and 1419 to defend Lille, and their services were also required during the Ghent uprising from 1447 to 1453. In all cases, the appeal was related to the payment of taxes: if the vassals were unable or unwilling to serve, they could instead contribute a sum of money.⁹² Ultimately, the wars against Louis XI were reason for Charles the Bold to apply the principle to his vassals and rear vassals, with unforeseen consequences. The first indications that

⁸⁸ Ibid., 239, n. 2; De Moreau, 'Législation', 54–7.

⁸⁹ Jongkees, *Staat*, 98–9.

⁹⁰ De Win, 'Queeste', 236–9; Janssens, 'Zuidnederlandse adel', 452–6; Arnould, *Dénombrements*, 99; Hirschauer, *États*, 124; Zoete, *Beden*, 45–59; Moureaux-van Neck, 'Aspect', 59; Billioud, *États*, 128–31; Brouwers, *Aides*, XXIX; Reichert, *Landesherrschaft* I, 124–7; Caron, *Noblesse*, 56–60; Janse, *Ridderschap*, 48–9; Van Steensel, *Edelen*, 109–16; Wymans, 'Noble', 82.

⁹¹ De Win, 'Queeste', 237–8; Maddens, *Beden*, 273; Van Schaik, *Belasting*, 82–6; Genicot, *Économie* II, 254; Van Steensel, 'Edelen'.

⁹² Opsommer, *Leengoed* II, 726–7; Blockmans, *Volksvertegenwoordiging*, 446–7; Janse, 'Leenbezit', 165. Compare: Lille ADN, B 17.478.

Charles intended to make more intensive use of his position as feudal lord date from the preparations for the *Guerre du bien public* (1465), when he appealed as captain-general of the Burgundian lands to the military service of his vassals. In so doing, he breathed new life into the principle of *auxilium*.⁹³

On 31 December 1470, Charles issued a decree that had the effect of a bombshell. In his introductory words he stated that the vassals and rear vassals were obliged to provide military service for defending himself, his state, his land, estates, and subjects—in that order. Although he expressly referred to feudal practices, he had in mind a much more radical system than his predecessors. Under his scheme, not only would the more important vassals be affected, but also the smaller ones, the rear vassals; in many cases these were townspeople who had a small plot of feudal land somewhere, patricians and traders, women and underage children; in short people who would never have dreamed that they might be involved in an actual campaign.⁹⁴ Moreover, he positioned himself as feudal lord of all vassals and no longer as duke of Brabant, count of Flanders or Holland, etc.⁹⁵ And finally, this new scheme meant an enormous bureaucratic effort was needed to draw up an inventory of the fiefs and rear fiefs. In essence, this was no new initiative. In around 1440, Philip the Good issued an instruction to list and register the fiefs in Brabant, Holland, and Flanders.⁹⁶ The registration under Charles the Bold took a different form: here it was not the status of vassal or rear vassal that was important, but the value of the fief.⁹⁷

The tax on fiefs and rear fiefs was only partly successful. Charles ordered his officers to set up registers with data on the holder, the location, the amount, and the annual income from the fiefs and in addition the amount of interest that was charged on them. Valiant efforts were made to register the value of these arrangements, but, as usual with such large-scale projects, in practice there were all kinds of shortcomings. The principle that the value of the fiefs was set by the vassals themselves led to widespread evasion.⁹⁸ The ability to claim deductions only added to the complexity and opacity. According to a conservative estimate, ultimately only 80 per cent of the fiefs were registered.⁹⁹ The introduction of the tax on fiefs and rear fiefs led to a storm of protest in the assemblies of the States. Even Antoine Haneron, one of the main *auctores* of the financial reforms, was among the ‘many and divers people [who] opposed this and refused to pay’ and he started a legal process against the sixth penny he had to pay on his fief in Grimbergen.¹⁰⁰ In Holland the

⁹³ Cuvelier, *Actes*, 238.

⁹⁴ Blockmans, *Handelingen 1467–1477*, *passim*; Smit, *Bronnen III*, *passim*. For Brabant: SAL 5093, f. 73v; 5103, f. 8r, etc.

⁹⁵ Bautier, Sornay, and Muret, *Sources I*, 2, 145–9, 345, 600, 694–5; Caron, *Noblesse*, II; Galesloot, *Inventaire I*, 7–8; De Scufflaire, *Fiefs*, 61–79; Cools, ‘Prince’, 394–5; Janse, ‘Ambition’; Bartier, ‘Filips de Goede’, 295–6; Bartier, *Légistes*, 242–6; Kuys, ‘Gelderse domeinen’, 159–60.

⁹⁶ Galesloot, *Inventaire II*, 133.

⁹⁷ Kort, *Archief I*, 105; for Brabant: Brussels AR, Leenhof van Brabant 14; for Flanders there are numerous registers: Opsommer, *Leenrecht II*, 726–37; Bautier, Sornay, and Muret, *Sources I*, 2, 144–52.

⁹⁸ Gachard, *Collection*, 214–15.

⁹⁹ Kort, *Archief I*, 105–6.

¹⁰⁰ Brussels AR, CC 15.728/VI, f. 5r.

opposition could largely be attributed to the military aspect: it was not common practice for the nobility to serve outside the borders of the land. Moreover, the previous campaign had led to enormous frustration because the duke had summoned far too many noblemen who, having nothing to do, spent their time being thoroughly bored rather than carrying out heroic deeds on the battlefield.¹⁰¹

8.7 CONCLUSION

Despite all efforts, the final years of Charles the Bold were characterized by a serious shortage of money. In 1475 Anton of Burgundy, *le grand bâtard*, left for Italy with a large escort to pledge all the jewels and personal possessions of the duke. In a final effort to put the state finances in order, the envoys journeyed desperately from Antwerp to Brussels and Mechelen trying to extract loans. Their efforts were unsuccessful. The expenses were greater than the income. The great aid, awarded two years previously, was barely enough to cover the costs of the new standing army, and then there were all the other costs relating to the administration, the court, the diplomatic service.¹⁰² In 1476 and 1477, the defeats, first against the Swiss militias at Grandson, Murten and eventually against the troops of the Duke of Lorraine at Nancy, sealed the fate that Charles had brought upon himself.

In 1477 the government of Burgundy was again on the verge of bankruptcy. It is ironic that Philip the Good had encountered a similar situation when he succeeded in Namur, Hainaut, Holland, Zeeland, Brabant, Limburg, and Luxemburg fifty years previously. In the intervening period much had changed. The state income had increased considerably, and regular taxes had become a structural element of the state finances, accounting for more than 60 per cent of the total. The different provinces now paid an annual contribution, albeit with some haggling about the amount and term of their contribution, but the principle of having to pay tax was no longer a point of contention. There had also been an increase in the scale of the taxes. The aids were no longer asked of the individual State assemblies, but of the States-General. Once the aid had been agreed, the amount was divided among the different provinces. The problem was that state expenditure had increased even faster than the income. Or possibly: nobody had any faith in the expensive undertakings of Charles the Bold, apart from himself and a few devoted officials.

'Pas d'État sans impôt': no tax, no state, Colette Beaune commented.¹⁰³ There are good reasons why there is a clear relation between raising taxes and state formation, as the structuring of the Burgundian tax system shows. Firstly, the capital from the aids and other levies was crucial for the state in its competition with neighbouring lands. It made it possible to keep a standing army, and professional soldiers could be hired to march on behalf of the dukes and to fight on the battlefields.

¹⁰¹ The Hague NA, Graven van Holland 876, f. 38v–39v.

¹⁰² Garnier, 'Services', 980; Mollat, 'Enquête'.

¹⁰³ Beaune, 'Structures', 39.

It is no coincidence that the fiscal and military developments in Burgundy directly followed the developments in France. Charles the Bold's standing army was principally a replica of the *compagnies d'ordonnances* introduced in 1445 by Charles VII of France. Secondly, the introduction of taxes also led to greater financial, institutional, and emotional involvement of the subjects in the government and the state. It was a matter of money, in the form of excises raised at the bars of town inns, or in the country, in the form of hard cash. It is logical that the people expected the taxes to be used for their benefit. Thirdly, the increasing dependence of the administration on the citizens led to concessions being made, maybe not to all taxpayers, but certainly to the economic and political elites, who were the voices of authority in the powerful towns. The situation was clear. In exchange for a large sum of money, the public role of the state was strengthened, the subjects received legal immunity, legal sovereignty, territorial integrity, and monetary stability, and most importantly priority was given to trade. Nonetheless, this has to be put into perspective, particularly with regard to the role of the Burgundian government. It is good to be reminded that the allocation and collection of the taxes continued to be a provincial matter. No matter how clear the objectives of the central government were, how dominant their position, the awarding of the aid and the collection of the money took place at the level of the former principalities, which meant that the cooperation of the local and provincial elites was essential.

Not everyone benefited; that much is obvious. Equally obviously, this resulted in frustration. In 1467, following the death of Philip the Good, revolts broke out in the towns, including Mechelen and Brussels. In 1477, after the death of Charles the Bold, there was a veritable outburst of public anger directed at the excessive taxes and the duke's megalomaniacal projects. However, this manifested itself primarily in a ruthless manhunt among the princely and local elites who had profited from the tax regime.

9

Summa summarum

On 30 September 1473, a long procession comprising a thousand people clothed in gold brocade, crimson, or black satin entered the city of Trier. The central figure in this procession was Duke Charles the Bold, enveloped in a cloak woven in gold, covering a robe set with hundreds of pearls and rubies and dozens of diamonds. Charles the Bold, Duke of Burgundy, and his retinue approached the city to meet Emperor Frederick III. The duke had spent months arranging his entry, with no expense spared, determined to make as grand an impression as possible. The costs of all this finery were estimated at 60,000 pounds—10 per cent of the income from the great aid that had been awarded several months previously. The magnificent display shows a duke at the peak of his power. Charles had much, but wanted more. His aim was to shape the random collection of principalities into a territorial kingdom, named after the crowns of Burgundy and Friesland.¹

The Burgundian union has justifiably been described as a theatre state, a state that focused primarily on symbolism and rituals, on radiating and legitimizing power and respect.² This analogy is well deserved, particularly given the grandiose parade of 1473. The performance was orchestrated deliberately by the duke and has been eagerly adopted by modern scholars. A theatre is truly more than the players in the spotlights, who play the role that their environment expects of them. Behind the gold brocade and the crimson attire of the key players is a cardboard stage set that barely conceals the scaffolding, lights, winches, and hoists necessary to support the drama. In the background there is an army of directors, text writers, make-up artists, and prompts who give the piece its structure and content. The paying audience witnessing the spectacle make the drama financially viable. Their approval or rejection determines its success.

With hindsight we can say that the Burgundian unification formed the point of departure for the development of three modern states, located in the twilight zone of the Empire and France. What could be more obvious for the scientific world, seeking the historical roots of these states, than to consider the rise of Burgundy from the comparatively manageable unit of the dynasty, the court, and the centripetal force that they generated? In fact, the dukes themselves laid the foundation for this approach by appointing Georges Chastellain, Jean Molinet, and Olivier de la Marche as historiographers.

¹ Ehm, *Burgund*, 145–9; Vaughan, *Charles the Bold*, 140–4.

² See, for example: Brown, 'Bruges', 574–6; Small, 'Indiciaires'.

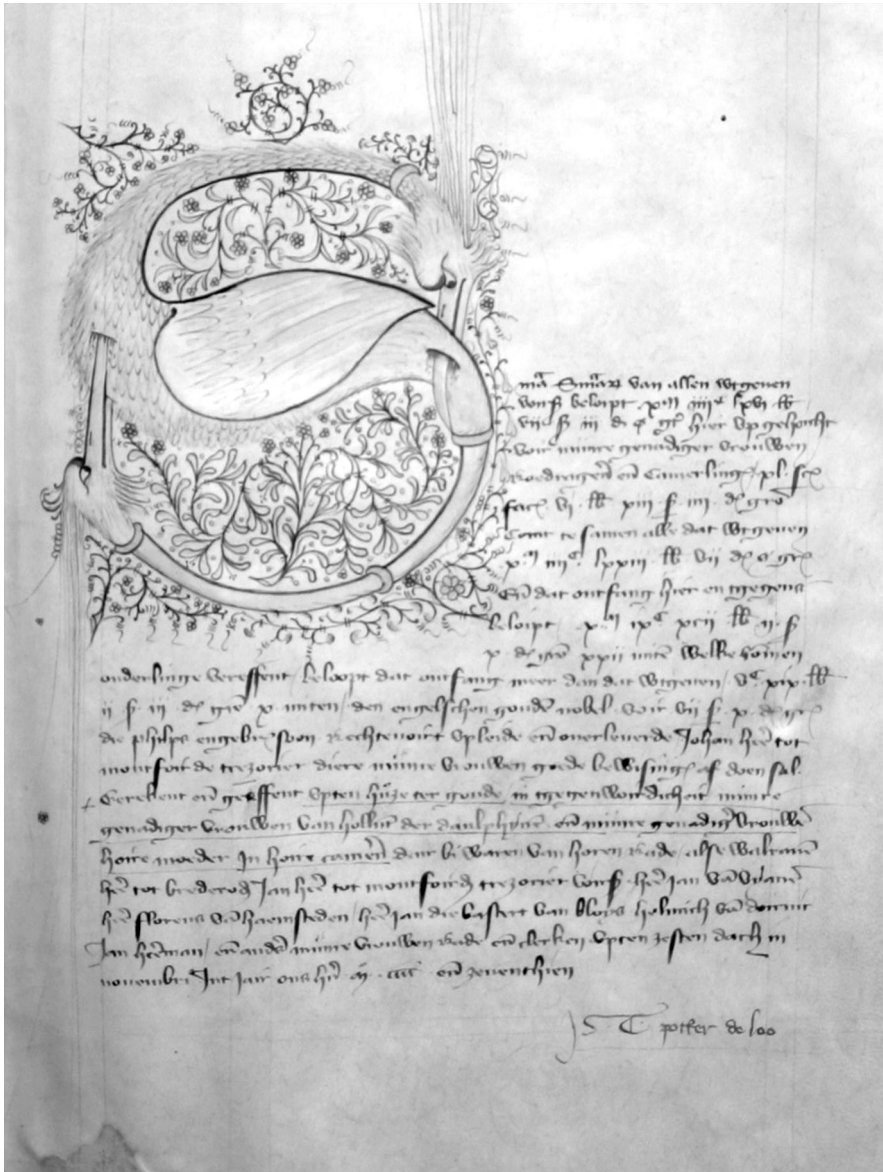


Figure 9.1. *Summa summarum*—grand total—of the Holland clerk to the treasurer Filips Engelbrechtszoon (1417). The Hague NA, Graven van Holland 1267, f. 84r

The dukes of Burgundy did not actually create a modern state, but during their reign a process of state formation was set in motion, and what they had achieved by 1473 is certainly worthy of admiration. The Burgundian monarchy was run by professional officers. There was a hierarchical system of law courts that adhered to clear procedures. The financial administration was governed by structure, order,

registration, and control. There was a powerful modern army, made up of thousands of men-at-arms. The Burgundian lands were—not yet *de jure* but certainly *de facto*—sovereign, independent of the administrative and legal interference of the emperor and the French king. This whole structure was ruled over by the duke, supported by an ostentatious court, that had no equal in Europe. Seen in this light, the Burgundian monarchy may well have been worthy of a royal crown.

This study has focused not only on the dukes and the game they played, but also on the crew and the public, on the official, political, and social structures that made their achievements possible. How and why did the Burgundian union come into being? What did the parts—ten former principalities—have in common? Which new institutions were created and which disappeared? In order to reconstruct the framework of the Burgundian union, it was necessary to refer back to the means by which the new dynasty realized its claims to power. The long series of titles of the duchies and counties carried by the dukes seems to imply that the cohesion within the union had some hereditary basis. Dynastic claims did indeed play a role, but there were other equally important—or possibly even more important—factors. On the one hand, the financial power and large network of the Burgundian dukes enabled them to exercise considerable influence on the internal politics of the provinces long before there was any formal assumption of power. On the other hand, in realizing their claims they were dependent on the provincial representative institutions. The approval of the States was essential for pretenders to power; they needed to be recognized and inaugurated by the States in order to become duke or count. This system also gave these same States the opportunity to promote their own interests. The assumption of power was a process of negotiation, which was subsequently reflected in the resulting political structure: the dukes had power, but the States had influence.

The decline of the provincial dynasties in the fourteenth and early fifteenth centuries was an important factor in how matters progressed: they had for centuries operated a disastrous political regime, that was characterized by dynastic adventures, overspending, financial mismanagement, and a defective administration. At the end of the fourteenth and the start of the fifteenth century, the debts were out of control, and almost all the dynasties were on the verge of bankruptcy. The consequences were more serious than simply the failure of a particular lifestyle. The crux of the problem was the fact that the princely courts fulfilled a public role, besides all kinds of other tasks. This meant that the princely finances were also a matter of public concern.

In 1433 Jean Germain, chancellor of the Golden Fleece, proudly notified the Council of Basel that his lord most certainly warranted priority above the German princes, in part because he held four titles as duke and fifteen as count and was moreover Lord of Greater and Smaller Friesland.³ This may well have been something of an exaggeration—the titles held by Philip the Good at that time referred to only seven counties and a single Lordship of Friesland—but it does show the nature of the Burgundian union as a composite monarchy. Along with the former

³ Mansi, *Sacrorum conciliorum* XXX, 208B; compare: Melville, 'Vorfahren', 204–6.

dynasties, the old princely courts—at the time the main centres of government, justice, and finance—also disappeared. At a new central level the Burgundian dynasty and its court and institutions took over a modest share of these functions. In essence the union remained an association of half-sovereign principalities. Stadtholders and council chambers took the place of the princes and their councils. The representative institutions continued to be more or less provincially oriented and their political influence was safeguarded because the financial and political power of the towns was essential for the Burgundian dynasty.

The old principalities carried on as parts of a composite monarchy, but the new administration had a completely different, more bureaucratic character. It was no longer made up primarily of an alternating group of feudal counsellors and courtiers who previously populated the councils of the dukes and counts. The provincial courts, the breeding ground of this regime, had disappeared. The new councils and audit chambers were bureaucratic institutions with a fixed location, a salaried staff, and a set of clear regulations governing their activities. They were run by competent officers, university-educated professionals, most often from a non-aristocratic background. Burgundization was in this respect a fundamental turning point, although it should be noted that it did not represent a complete break with the past. The development of a professional, bureaucratic structure had started centuries before and was by no means complete at the end of the Burgundian period. Moreover, the informal power derived from birth, friendship, and relationships was still a firm feature of this bureaucratic system.

If one were to focus on the centralized aspects of the Burgundian union, the finances would be the prime area of interest. The dukes did everything possible to introduce some hierarchy into the financial system and to rationalize it. Their efforts were to some extent successful. The former provincial treasurers became subordinate to the central government, and part of the income from the domains and the aids found its way to the receiver-general of all finances, while another part was spent at provincial or local level. The introduction of a system of strict financial audits—even given its minor pettiness possibly the most spectacular and fundamental innovation—also resulted in a degree of centralization. Previously, control of the accounts of the receivers was perfunctory and was more or less taken on trust, while the new system was based on careful procedures that required documentary evidence. This not only changed the relationship between the government and the receivers, it also meant that the ‘chance’ loss of domain goods was a thing of the past. Although the auditing of accounts was carried out by four different institutions, there was clearly a high degree of cohesion in the financial administration.

Nonetheless, the Burgundian government failed on many counts in its efforts to centralize the finances. The introduction of regular, centralized taxes was only a limited success. It is true that the revenue from taxes rose to a totally unprecedented level, but the collection and setting of the taxes were still organized within the provinces. The introduction of a new, comprehensive system of district receivers to replace the former receiverships proved ineffective and consequently ran aground. The pledging of the bailiwicks proved impossible for very different reasons. The

financial importance of this measure was evident, but the pledging resulted in an unacceptable violation of legal security.

The centralization of the finances can be said to have had some degree of success, but this was far less true of the judicial system. It was difficult to achieve any consistency in the ducal politics given the different—almost irreconcilable—objectives that had to be taken into account. Firstly, there was the desire to concentrate power, including legal power, so as to subjugate the provinces and the major towns, but also to thwart interference from, in particular, the French king. Secondly, the dukes regarded the local legal offices as an important source of income that should be exploited as much as possible. And finally, they also cherished the ambition of being fair and just rulers. However, they were confronted with a reality that wanted the provincial justice system to be under the guardianship of the States, and the local justice system under that of the urban communities and elites. Their opposition meant that it was almost impossible for the Burgundian administration to establish a structured legal system. This did not mean, however, that developments were at a standstill. At provincial level in particular—one could add at central level—the justice system underwent an important development. This had little to do with the implementation of Roman law, and only in part with the introduction of the possibility of appealing to a higher court. The most important development was the application of a clear, written process of law, based on Romano-canonical procedure. This represented a significant step forwards for legal security, certainly in comparison with the situation as it had been for the direct predecessors of the council chambers, the princely councils.

We read in the introduction that state formation is often considered to be a result of war, or the preparation for war. The question is then whether the unification of the Netherlands and Burgundian centralization fit this model. Up to a certain point this was the case, but there is no real black and white answer. In this study I have proposed that the never-ending series of minor wars drove the old dynasties into an insoluble debt crisis and administrative inertia. This debt crisis was in its turn an important impetus for the development of the Burgundian union. The importance of military expenses also seems to be applicable to the rule of Charles the Bold, when expansion and centralization went hand in hand. For the crucial rule of Philip the Good, when the composite monarchy took substantial shape and the most important institutions were formed or reformed, this seems to be much less the case. At that time there was far more internal stability and prosperity. It was not without reason that Philippe de Commines remarked in 1490 about the government of Philip the Good:

At that time the subjects of the house of Burgundy lived in great prosperity, as a result of the long peace they had enjoyed and due to the goodness of the prince under whose rule they lived, who did not over-burden his subjects. And it seems to me that his lands could be regarded more than any other lordship on earth, as the promised lands.⁴

⁴ Commines, *Mémoires*, 55.

Implicitly, the traditional approach places too much emphasis on the centre, with state formation and centralization seeming to be interchangeable concepts. The disadvantage of this is that insight into the process, into the interests outside the centre, are lost. The centralization and accumulation of power by the dukes of Burgundy also had their price, literally and figuratively. The taxes did provide a new basis for the princes' finances, but they also meant a drastic change in the balance of power. The remittance of the taxes enabled the representative institutions to consolidate or to improve or renew the administrative organization and the traditional agreements as they saw fit. And this brings us to the interests of the powerful, wealthy merchants and the urban elites, to which the *new institutional economics* points. Besides the Burgundian dynasty and the government officials, they were the biggest winners from the unification of the Netherlands. After long periods of unrest, the new dynasty offered them what they wanted: social and economic stability. Unification gave them a sustainable, integrated trading region, and the long desired stable currency also materialized, in the form of the *vierlander*, based on the strong Flemish groat. The legal system was revised and was now based on a relatively reliable Romano-canonical procedure; judgements were made increasingly often by professional judges, founded on objective criteria. The administrative offices now offered a place for the citizens' ambitious and well-educated sons. Finally, there were the lucrative annuities that were issued by the towns, the States, and the government, that were an interesting opportunity for investment for the wealthy citizens. Interest payments were made on the strength of the aids that were awarded by the citizens themselves and paid at the expense of the taxpayers, craftsmen, workers, and farmers, for whom the tax burden increased even further.

The main losers in the process of Burgundian state formation were the feudal noblemen. For them the world had now changed definitively. The provincial court, their natural habitat, had disappeared and they had little or no place in the new provincial councils and audit chambers. If they did manage to find a position there, it was not on the basis of heritable feudal privileges, but on the grounds of individual qualities. The dukes of the new dynasty may well have been their feudal lords, but then in the role of Duke of Brabant, Count of Flanders, etc. A supra-provincial feudal system never developed. Government was now centralized at the Burgundian court; for most nobles—and certainly for those from the Dutch-speaking provinces—accession to the ducal household was far beyond their reach.⁵

Back to the theatre state. On 13 March 1477, two and a half years after Charles' triumphal entry into Trier, a procession left again, this time for the Grand Place in Brussels. The atmosphere among those present, representatives of the seven patrician families, was on this occasion by no means provocative, arrogant, or exuberant, as in 1473, but was instead humble and fearful. They were not dressed in satin and gold brocade, but in their white undergarments. The spectators lining the long, long road to the Grand Place cheered and shouted; the patricians were greeted at the town hall by the craft guilds in full regalia, their banners waving in

⁵ Obviously, this doesn't apply to the nobility as a whole, as is for instance shown by Buylaert, *Eeuwen*; Croenen, 'Regions'; Janse, *Ridderschap*.

the wind, their standards flying proudly. In the centre were the rich guilds, the butchers, builders, and brewers, and around them were ranked the poorer crafts. Here short shrift was made of nearly fifty years of Burgundian government. The elite had profited excessively from the accession of power by Burgundy. They had offered little or no resistance to the growing financial appetite of the government, and had been reckless with the towns' finances. Even worse, they had used public funds to gain and hold influence and power. The patricians themselves apologized meekly. Yes, they had enriched themselves at the cost of the taxpayers. Yes, they had sided with the duke and his court clique to the detriment of urban interests. Yes, they had allowed the duke to demand far too high taxes. Yes, that was wrong, and it would never happen again.⁶

A few months later order was restored.

⁶ Favresse, 'Documents', 108–9; Van Uytven, '1477'. Compare the public humiliation of the people of Ghent by Philip the Good in 1453: Arnade, *Realms*, 121–4.

Epilogue

At the point when Charles the Bold died in battle the Burgundian dynasty, its servants, and its subjects had achieved a great deal: they had created a relatively stable composite monarchy, in which an elementary but rather well-organized bureaucratic apparatus functioned, and where a remarkably homogeneous administrative culture developed, not just at the level of the centre, but also in the provinces. The contrast with the situation before the rise of the Burgundian house, one century before, is striking: in around 1380 the Netherlands had been divided into ten different principalities, reigned by seven dynasties.

Three political developments would determine later centuries. In chronological order: the marriage of Charles' daughter Mary to Maximilian of Habsburg (1477); the manifestation of the Netherlands as a separate polity (second quarter of the sixteenth century); and the division of this polity into a northern and a southern part (second half of the sixteenth century).

With the marriage of Mary and Maximilian, the Netherlands became part of the Habsburg—later the Spanish—Empire. This resulted not only in a growing political dependence on the Spanish crown, but also in an estrangement of the elites and the population from a dynasty that had its priorities in the world of the Iberian Peninsula and the Mediterranean. This can be seen in the fact that during the sixteenth century, Emperor Charles V and King Philip II only rarely visited the Netherlands.

The unification of the Burgundian provinces took place in the twilight zone on the border between the Empire and France. We have seen that the principalities had been drifting away from their respective feudal overlordship for a long time. The situation was formalized in the second quarter of the sixteenth century. With the treaties of Madrid (1526) and Cambrai (1529), the French King Francis I renounced sovereignty over Flanders and Artois. The Treaty of Augsburg (1548) and the following pragmatic sanction (1549) made the Netherlands into an independent, more or less sovereign polity within the Holy Roman Empire.

The existence of a political unity of the Netherlands was only short-lived though. From 1566 onwards the Netherlands became involved in a civil war, generally referred to as the Dutch Revolt. The fortunes of war resulted in the late sixteenth and early seventeenth century in a political division that would ultimately form the basis of the modern states of the Netherlands, Belgium, and Luxemburg. The southern Netherlands—essentially Flanders, parts of Brabant, Hainaut, Namur, and Luxemburg—fell under the sovereignty of the King of Spain, and were governed by his stadtholder. In the northern Netherlands (parts of Brabant, Holland,

Zeeland, Guelders, and the northern provinces of Friesland, Groningen, Drenthe, and Overijssel) sovereignty was exercised by the provincial States, and sometimes by delegation the States-General.

Unsurprisingly, the fiscal innovation of the Burgundian period, the introduction of the yearly so-called regular taxation, also had a long-lasting character. During the following centuries, the balance between the earnings from the domain and those from taxation continuously shifted towards the latter. The idea that taxation was a favour granted by the subjects to their prince was definitively abandoned, and it was considered more and more an obligation they owed to him—or perhaps better, owed to the state. In this respect the Burgundian government laid the foundation of the current system of taxation. The growing dependence of the state on fiscal income had more positive consequences as well: it enabled the representative institutions to influence the political centre.

As we have seen, the execution of administration and justice were the main matters in dispute between the Burgundian dukes and their servants on the one hand, and the provincial States on the other: where did the balance lie between diverging abstractions such as the accumulation of power, legal certainty, professionalism, and provincial identity? These dilemmas were still exercising the minds in the post-Burgundian era. Represented by its stadtholder, the Habsburg government aimed at centralizing and homogenizing the structures of administration. Several institutional developments stand out as landmarks of the government's attempts. In 1504 the Parliament of Mechelen was formally restored as a court of appeal—now dubbed the *Grand Conseil* or *Grote Raad*—and in 1531, the three so-called collateral councils were established that dealt with defence, foreign affairs, and questions of government (Council of State), justice (Secret or Privy Council), and financial issues (Council of Finances). After the Dutch Revolt, these institutions remained in function almost unaltered in the southern Netherlands until the end of the *Ancien Régime*. Far more than one would expect, the institutions of the Dutch Republic were children of their Habsburg and therefore of their Burgundian predecessors as well. The treasurer-general and the council of state assumed financial and administrative responsibilities respectively; the *Hof van Holland* developed gradually into a court of appeal for Holland and Zeeland. The main difference between the north and the south was the position of the stadtholder. In the south he was the agent of the king, who, in his turn, governed as a sovereign by God's grace. In the north the States-General—or in fact the provincial States—were sovereign and one or more stadtholders were formally their servants.

The Burgundian period witnessed the breakthrough of a bureaucracy that partially replaced a system based essentially on the old feudal structures. The rise of bureaucracy and the decline of feudal government continued during the following centuries. Increasingly, education, and specifically academic education, formed the basis for a successful administrative career. This does not imply that noblemen disappeared from the administrative scene, however, for many civil servants aspired to a noble title.¹ Interwoven with the genesis of an institutional apparatus, but in

¹ Van Nierop, *Van ridders tot regenten*; Duerloo, De Frenne, 'Verdeelde huis'.

the long run of far greater importance, was the further spread of a juridical, administrative, and bureaucratic culture. The changes brought about by the Burgundian administration would prove to be of a fundamental and lasting nature—even if these were of course borrowed from primarily French colleagues. The juridical practices, the Romano-canonical procedure, introduced and applied by the provincial *Chambres*, would dominate justice until the end of the *Ancien Régime* and beyond, and both in the southern and the northern Netherlands would permeate society more and more. The same is true for the culture of accountability introduced by the audit offices. The three *Chambres de Comptes* of Lille, Brussels, and The Hague, introduced by the Burgundian house, remained active until the eighteenth century and continued to use the Paris style of accountability. Further research is necessary, but it appears that this same style spread further in society to the administration of towns and other institutions.²

The impact of Burgundian unification on the character of representation was far smaller than one would expect. The old structures of the regional States that had mainly surfaced during the thirteenth and fourteenth centuries remained dominant during the Habsburg period and later on in both the southern and the northern Netherlands. They remained an instrument used by the elites to advance their interests vis-à-vis the government. The States-General, which to a certain degree can be considered a Burgundian creation, only played a marginal political role, especially in the south, where the importance of the regional States remained far greater. In the northern Netherlands, the provincial States developed into autonomous institutions that sometimes delegated part of their autonomy to the States-General, but remained sovereign themselves.³ Not only were the States political powerhouses, serving the interests of the (urban) elites, they also functioned as the watchdogs of provincial particularism and autonomy.

I have argued that the Burgundian unification of the Netherlands was an important turning point in the process of state formation. The adaptation of the existing structures and cultures and the attempts to centralize administration went on after Charles' death in 1477. But apparently the speed of change decreased. In this way the Burgundian period laid the basis for the modern state in the Netherlands. This was not so much the case because the modern centralized state came into being—the formation of Belgium, the Netherlands, and Luxemburg as modern states had to wait until the nineteenth century—but because it meant a decisive step in the breakthrough of new forms of bureaucratic and rational government and of a new administrative culture. In this respect the structures and developments in the early modern southern Netherlands were not so different from those in the north. Both the composition of the Spanish Netherlands and of the Dutch Republic were characterized by regional and local diversity. The remains of the principalities of the high Middle Ages formed the constituent parts. In the south a composite monarchy developed, in the north a composite republic.

² Compare: Aerts, *Geschiedenis en archief*, 113–71.

³ Vermeir, *In staat van oorlog*, 6–7, 209–16; Van Honacker, 'The archdukes', 241; Thomassen, *Instrumenten van de macht*, 116, 136–7.

Bibliography

- Aerts, E., 'De inhoud der rekeningen van de Brabantse algemeen-ontvangerij (1430–1440). Moeilijkheden en mogelijkheden voor het historisch onderzoek', *BG* 59 (1976).
- Aerts, E., 'De inhoud der rekeningen van de Brabantse algemeen-ontvangerij (1430–1440). Moeilijkheden en mogelijkheden voor het historisch onderzoek', *BG* 61 (1978) 13–95.
- Aerts, E., 'De Rekenkamer van Brabant: een instelling en haar archief', in: E. Aerts, ed., *De hertog en de Staten, de kanselier en de Raad, de Rekenkamer, het Leenhof, de Algemene Ontvangerij, de drossaard en de woudmeester, het notariaat en het Landgraafschap Brabant. Acht bijdragen tot de studie van de instellingen in het hertogdom Brabant in de middeleeuwen en de nieuwe tijd*. Algemeen Rijksarchief en Rijksarchief in de provinciën, *Studia* 128 (Brussels 2011) 43–65.
- Aerts, E., 'Financiële en administratief-boekhoudkundige contacten tussen laatmiddeleeuwse Brabantse centrale instellingen. Het voorbeeld van de Rekenkamer en de Algemeen-ontvangerij', *Eigen schoon en de Brabander* 63 (1980) 149–75.
- Aerts, E., *Geschiedenis en archief van de Rekenkamers*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Overzichten en gidsen 27 (Brussels 1996).
- Aerts, E., 'Muntkamer (ca. 1425–1749)', in: E. Aerts, ed., *De centrale overheidsinstellingen van de Habsburgse Nederlanden*. Algemeen Rijksarchief en Rijksarchief in de provinciën. *Studia* 55 (Brussels 1994).
- Aerts, E., 'Ontvangerij-generaal van Brabant (ca. 1270–1499)', in: R. van Uytven, ed., *De gewestelijke en lokale overheidsinstellingen in Brabant en Mechelen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. *Studia* 82 (Brussels 2000) 197–217.
- Aerts, E., 'Rekenkamer van Brabant (1404–1735)', in: E. Aerts, ed., *De centrale overheidsinstellingen van de Habsburgse Nederlanden*. Algemeen Rijksarchief en Rijksarchief in de provinciën. *Studia* 72 (Brussels 1994) 622–32.
- Aerts, E., 'Rekenkamer van Vlaanderen (1386–1735)', in: E. Aerts, ed., *De bodsinstellingen van de Habsburgse Nederlanden*. Algemeen Rijksarchief en Rijksarchief in de provinciën. *Studia* 72 (Brussels 1994) 608–21.
- Aerts, E., 'Ziekte en dood van hertog Filips van Saint-Pol. Geneeskunde en farmacie aan het Brabantse hof rond 1430', in: R. Bauer and R. De Keyser, eds, *In de voetsporen van Jacob van Maerlant. Liber amicorum Raf de Keyser*. Symbolae series A, 30 (Leuven 2002) 315–35.
- Aerts, E. and H. de Schepper, 'Geheime schatkist—Geheime Thesaurie (ca. 1445–ca. 1673)', in: E. Aerts, ed., *De centrale overheidsinstellingen van de Habsburgse Nederlanden* (Brussels 1994) 565–75.
- Aken, H. van, *Die rose*, ed. E. Verwijs, (The Hague 1868).
- Alberts, W. J., 'De eerste Bourgondische bezetting van Gelre (1473–1477)', in: W. J. Alberts and F. Ketner, eds, *Nederrijnse studiën, XIIIe–XVe eeuw* (Groningen, Djakarta 1954).
- Alberts, W. J., 'De Middeleeuwen, staatkundig beschouwd', in: B. H. Slicher van Bath, ed., *Geschiedenis van Overijssel* (Deventer 1970) 61–9.
- Alberts, W. J., *De Staten van Gelre en Zutphen tot 1459*. Bijdragen van het Instituut voor middeleeuwse geschiedenis der Rijks-universiteit te Utrecht 22 (Utrecht 1950).

- Alberts, W. J., *Van heerlijkheid tot landsheerlijkheid*. Maaslandse monografieën 24 (Assen; Amsterdam 1978).
- Alexandre, P., *Histoire des origines, des développements et du rôle des officiers fiscaux près les Conseils de Justice dans les anciens Pays-Bas depuis le XVe siècle jusqu'à la fin du XVIIIe*. Mémoires couronnés et autres mémoires publiés par l'Académie royale des sciences, des lettres et des beaux-arts de Belgique 45 (Brussels 1891).
- Allemand-Gay, M.-T., *Le pouvoir des comtes de Bourgogne au XIIIe siècle*. Cahiers d'études comtoises 36 (Paris 1988).
- Amberg, R., *Die Steuer in die Rechtsphilosophie der Scholastiker. Ein Beitrag zur Beurteilung der Scholastiker in ihren Beziehungen zum Rechts- und Wirtschaftsleben ihrer Zeit* (Berlin 1909).
- Andt, É., *La Chambre des Comptes de Dijon à l'époque des ducs Valois* (Paris 1924).
- Anrooij, W. van, 'Homen ene stat regeren sal. Een vroege stadstekst uit de Zuidelijke Nederlanden', *Spiegel der Letteren* 34 (1992) 139–57.
- Anselmo, A., *Placcaeten, ordonnantien, landt-chartres, blyde-incomsten, privilegien, ende instructien by de Princen van dese Nederlanden, aen de ingesetenen van Brabant, Vlaenderen, ende andere Provincien, t'sedert 't jaer M.CC.XX uytgegeven, geacordeert, ende verleent...* (Antwerp 1648).
- Aquinas, T., *Sancti Thomae de Aquino Opera omnia* (Rome 1989).
- Arend, O. van den, *Zeven lokale baljuwschappen in Holland*. Middeleeuwse studies en bronnen 35 (Hilversum 1993).
- Armstrong, C. A. J., 'Had the Burgundian government a policy for the nobility?' in: C. A. J. Armstrong, *England, France and Burgundy in the fifteenth century* (London 1983) 212–36.
- Armstrong, C. A. J., 'La politique matrimoniale des ducs de Bourgogne', in: C. A. J. Armstrong, *England, France and Burgundy in the fifteenth century* (London 1983) 237–342.
- Arnade, P., *Realms of ritual. Burgundian ceremony and civic life in late medieval Ghent* (Ithaca, NY; London 1996).
- Arnould, M., 'Le premier budget du duc Charles de Bourgogne (1467–1468)', *BCRH* 150 (1984) 226–71.
- Arnould, M., 'Le séjour Bruxellois de Charles le Téméraire pendant l'hiver de 1467–1468', *ASRAB* 28 (1981) 27–50.
- Arnould, M., *Les dénombrements de foyers dans le comté de Hainaut (XIVe–XVIe siècle)* (Brussels 1956).
- Arnould, M., 'Les lendemains de Nancy dans les "Pays de par deçà": (janvier–avril 1477)', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden*. Standen en Landen 80 (Kortrijk-Heule 1985) 1–78.
- Arnould, M., 'Les origines du Conseil des Finances des anciens Pays-Bas', *Revue du Nord* 54 (1972) 108–9.
- Arnould, M., 'Les privileges accordés au Hainaut par Charles le Téméraire en 1473', in: P. Goffin and I. Roggen, eds, *Code et constitution. Mélanges historiques. Liber amicorum John Gilissen* (Antwerp 1983) 19–42.
- Arnould, M., *Les relevés de feux*. Typologie des sources du Moyen âge occidental 18 (Turnhout 1976).
- Arnould, M., 'Une estimation des revenus et des dépenses de Philippe le Bon en 1445', in: *Recherches sur l'histoire des finances publiques en Belgique* 3. Acta historica Bruxellensia 3 (Brussels 1974) 131–219.
- Aubert, F., *Histoire du Parlement de Paris de l'origine à François I, 1250–1515* (Paris 1894).

- Aubert, F., 'Le ministère public de Saint Louis a François I', *Nouvelle revue hisotrique de droit Français et étranger* 18 (1994) 487–522.
- Augustyn, B., 'De Staten van Brabant (14de eeuw–1795)', in: R. van Uytven, ed., *De gewestelijke en lokale overheidsinstellingen in Brabant en Mechelen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 82 (Brussels 2000) 97–134.
- Augustyn, B., 'Ontvanger-generaal van Vlaanderen (1245–1795)', in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 188–95.
- Aurelius, C., *Die cronycke van Hollandt, Zeelandt ende Vrieslant, beghinnende van Adams tiden tot die geboorte ons heren Jhesu: voertgaende tot den jare 1517* (Leiden 1517).
- Avonds, P., *Brabant tijdens de regering van hertog Jan III (1312–1356). De grote politieke krisissen*. Verhandelingen KAWLSK. Klasse der letteren 114 (Brussels 1984).
- Avonds, P., *Brabant tijdens de regering van hertog Jan III (1312–1356). Land en instellingen*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone kunsten van Vlaanderen, Klasse der letteren 136 (Brussels 1991).
- Avonds, P., 'Caligator, Johannes', in: *NBW* 14 (Brussels 1992) 97–102.
- Baelde, M., *De domeingoederen van de vorst in de Nederlanden omstreeks het midden van de zestiende eeuw (1551–1559)* (Brussels 1971).
- Baelde, M., 'L'Ordre de la Toison d'or au XVe siècle', in: R. de Smedt, ed., *Les chevaliers de l'Ordre de la Toison d'or au XVe siècle. Notices bio-bibliographiques*. Kieler Werkstücke Reihe D, Band 3 (Frankfurt am Main 1994) 1–16.
- Baerten, J., 'Onderzoek naar de originaliteit en de rol van de muntunie van Jan IV (1420) tussen Brabant, Holland en Henegouwen', in: J. M. Duvosquel, J. Nazet, and A. Vanrie, eds, *Les Pays-Bas bourguignons. Histoire et institutions. Mélanges André Uyttebrouck* (Brussels 1996) 57–60.
- Bailly, M.-C. le, 'De betekenis van de "Nieuwe ordonnancie ende instructie" van 1462 voor de juridische procedure bij het Hof van Holland', in: D. Heirbaut and D. Lambrecht, eds, *Van oud en nieuw recht. Handelingen van het XVde Belgisch-Nederlands rechtshistorisch congres* (Antwerp 1998) 85–104.
- Bailly, M.-C. le, *Recht voor de Raad. Rechtspraak voor het Hof van Holland, Zeeland en West-Friesland in het midden van de vijftiende eeuw*. Hollandse studiën 38 (Hilversum 2001).
- Bailly, M.-C. le and J. Smithuis, 'Enkele onbekende ordonnanties uit 1462 en 1463 betreffende ambtenaren van het Hof van Holland en procureurs van partijen', *Verslagen en mededelingen van de Stichting tot uitgaaf der bronnen van het oud-vaderlandse recht*, Nieuwe reeks 10 (1999) 117–34.
- Baldwin, J. W., *The government of Philip Augustus. Foundations of French royal power in the Middle Ages* (Berkeley, CA; London 1986).
- Balon, J., 'Un légiste namurois, Guillaume Masson, receveur du comté. Contribution à l'histoire des institutions au moyen âge', in: J. J. G. Balon-Perin, ed., *Études d'histoire et d'archéologie Namuroises dédiées à Ferdinand Courtoy* (Namur 1952) 439–61.
- Bart, J., 'Les archives judiciaires du Parlement de Dijon', in: A. Wijffels, ed., *Case law in the making. The techniques and methods of judicial records and law reports I, Essays*. Comparative studies in continental and Anglo-American legal history 17/1 (Berlin 1997) 249–65.
- Bartier, J., 'Filips de Goede en de vestiging van de Bourgondische staat', in: *Algemene Geschiedenis der Nederlanden* 3 (Utrecht 1951) 253–98.
- Bartier, J., *Légistes et gens de finances au XVe siècle. Les conseillers des ducs de Bourgogne Philippe le Bon et Charles le Téméraire*. Verhandelingen van de Koninklijke academie van België. Klasse der letteren en der morele en staatkundige wetenschappen 50 (Brussels 1955).

- Baurin, G., *Les gouverneurs du Comté de Namur, 1430–1794* (Namur 1984).
- Bautier, R.-H., J. Sornay, and F. Muret, *Les sources de l'histoire économique et sociale du Moyen âge*, I, 2. *Les états de la maison de Bourgogne* (Paris 1984).
- Bautier, R.-H., J. Sornay, and M. van Gent, *Les sources de l'histoire économique et sociale du Moyen âge* I, 1. *Les états de la maison de Bourgogne* (Paris 2001).
- Beaune, C., 'Les structures politiques comparées de l'occident médiéval (1250–1500)', in: J. Favier, ed., *XIVe et XVe siècles: crises et genèses* (Paris 1996).
- Beck, R., *Sachwörterbuch der Politik* (Stuttgart 1986).
- Beke, J. de, *Croniken van den Stichte van Utrecht ende van Hollant*, ed. H. Bruch. RGP Grote serie 180 (The Hague 1982).
- Berge, J. van den, *Dat Kaetspel ghemoralizeert*. Bibliotheek van de Middelnederlandsche letterkunde 24 (Leiden 1916).
- Bergh, L. P. C. van den, *Gedenkstukken tot opheldering der Nederlandsche geschiedenis* (Utrecht 1849).
- Bergh, L. P. C. van den, *Oorkondenboek van Holland en Zeeland* (Amsterdam; The Hague 1866).
- Bertholet, J., *Histoire ecclésiastique et civile du duché de Luxembourg et comté de Chiny* (Luxemburg 1741).
- Bigwood, G., *Le régime juridique et économique du commerce de l'argent dans la Belgique du Moyen Âge*. Verhandelingen van de Koninklijke academie van België. Klasse der letteren en der morele en staatkundige wetenschappen 14 (Brussels 1921).
- Bilanci generali della Repubblica di Venezia* (Venice 1903).
- Billioud, J., *Les États de Bourgogne aux XIVme et XVme siècles* (Dijon 1922).
- Black, A., *Guild and state. European political thought from the twelfth century to the present* (Brunswick, NJ; London 2003).
- Black, A., *Political thought in Europe 1250–1450* (Cambridge 1992).
- Blécourt, A. S. de and E. M. Meijers, *Memorialen van het Hof (den Raad) van Holland, Zeeland en West-Friesland, van den secretaris Jan Rosa*. Rechtshistorisch Instituut Leiden, serie 1 (Haarlem 1929).
- Blockmans, W. P., ed., *1477. Het algemene en de gewestelijke privilegien van Maria van Bourgondië voor de Nederlanden*. SL 80 (Kortrijk-Heule 1985).
- Blockmans, W. P., 'Autocratie ou polyarchie? La lutte pour le pouvoir politique en Flandre de 1482 à 1492, d'après des documents inédits', *BCRH* 140 (1974) 257–368.
- Blockmans, F., 'Le contrôle par le prince des comptes urbains en Flandre et en Brabant au Moyen Âge', in: *Finances et comptabilité urbaines du XIIIe au XVIe siècle* (Brussels 1964) 287–330.
- Blockmans, W. P., 'Corruptie, patronage, makelaardij en venaliteit als symptomen van een ontluikende staatsvorming in de Bourgondisch-Habsburgse Nederlanden', *Tijdschrift voor sociale geschiedenis* (1985) 231–47.
- Blockmans, W. P., '“Crisme de leze magesté”. Les idées politiques de Charles le Téméraire', in: J. M. Duvosquel, J. Nazet, and A. Vanrie, eds, *Les Pays-Bas bourguignons. Histoire et institutions. Mélanges André Uytendaele* (Brussels 1996) 71–82.
- Blockmans, W. P., 'De “constitutionele” betekenis van de privilegien van Maria van Bourgondië (1477)', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegien van Maria van Bourgondië voor de Nederlanden*. SL 80 (Kortrijk-Heule 1985) 473–94.
- Blockmans, W. P., *De Volksvertegenwoordiging in Vlaanderen in de overgang van Middeleeuwen naar nieuwe tijden (1384–1506)*. Verhandelingen van de Koninklijke Academie voor

- Wetenschappen, Letteren en Schone kunsten van Vlaanderen. Klasse der letteren 90 (Brussels 1978).
- Blockmans, W. P., 'Die Hierarchisierung der Gerichtsbarkeit in den Niederlanden, 14–16. Jahrhundert', in: P.-J. Heinig, S. Jahns, H. J. Schmidt, R. C. Schwinges, and S. Wefers, eds, *Reich, Regionen und Europa in Mittelalter und Neuzeit. Festschrift für Peter Moraw* (Berlin 2000) 261–78.
- Blockmans, W. P., 'Du contrat féodal à la souveraineté du peuple. Les précédents de la déchéance de Philippe II dans le s Pays-Bas (1581)', in: *Assemblee di Stati e Instituzione rappresentative nella storia del pensiero politico moderno* (Rimini 1984) 135–50.
- Blockmans, W. P., *Geschiedenis van de macht in Europa. Volkeren, machten, staten* (Antwerp 1997).
- Blockmans, W. P., *Handelingen van de Leden en van de Staten van Vlaanderen (1467–1477). Excerpten uit de rekeningen van de Vlaamse steden, kasselrijen en vorstelijke ambtenaren* (Brussels 1971).
- Blockmans, W. P., *Handelingen van de Leden en van de Staten van Vlaanderen (5 januari 1477–26 september 1506). Excerpten uit de rekeningen van de Vlaamse steden, kasselrijen en vorstelijke ambtenaren* (Brussels 1973).
- Blockmans, W. P., *Handelingen van de Leden en Staten van Vlaanderen. excerpten uit de rekeningen van de Vlaamse steden en kasselrijen en van de vorstelijke ambtenaren. Regering van Filips de Goede (10 september 1419–15 juni 1467)* (Brussels 1990).
- Blockmans, W. P., 'La position du comté de Flandre dans le royaume à la fin du XVe siècle', in: B. Chevalier, ed., *La France de la fin du XVe siècle. Renouveau—pouvoirs—arts. Culture et conscience nationales* (Paris 1985) 71–89.
- Blockmans, W. P., *Metropolen aan de Noordzee: de geschiedenis van Nederland, 1100–1560* (Amsterdam 2010).
- Blockmans, W. P., 'Privilege voor alle landen van herwaarts over, 11 februari 1477', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden. SL 80* (Kortrijk-Heule 1985) 79–95.
- Blockmans, W. P., 'Privilege voor het graafschap Vlaanderen', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden. SL 80* (Kortrijk-Heule 1985) 126–44.
- Blockmans, W. P., 'Representation (since the thirteenth century)', in: C. Allmand, ed., *The new Cambridge medieval history* 7 (Cambridge 1997) 19–64.
- Blockmans, W. P., 'The impact of cities on state formation: three contrasting territories in the Low Countries, 1300–1500', in: P. Blickle, ed., *Resistance, representation, and community. The origins of the modern state in Europe 13th to 18th centuries* (Oxford 1997) 256–71.
- Blockmans, W. P., 'The Low Countries in the Middle Ages', in: R. Bonney, ed., *The rise of the fiscal state in Europe, c. 1200–1815* (Oxford 1999) 281–308.
- Blockmans, W. P., 'Vertretungssysteme im niederländischen Raum im Spätmittelalter', in: *Der Ost- und Nordseeraum. Politik—Ideologie—Kultur vom 12. bis zum 17. Jahrhundert. Hansische Studien* 7 (Weimar 1986) 180–9.
- Blockmans, W. P., 'Voracious states and obstructing cities: an aspect of state formation in preindustrial Europe', in: C. Tilly and W. P. Blockmans, eds, *Cities and the rise of states in Europe, A.D. 1000 to 1800* (Boulder, CO; San Francisco; Oxford 1994) 218–50.
- Blockmans, W. P. and J. P. Genet, *The Origin of the Modern State in Europe* (Oxford 1995).
- Blockmans, W. P. and W. Prevenier, *De Bourgondiërs. De Nederlanden op weg naar eenheid, 1384–1530* (Amsterdam; Leuven 1997).

- Blockmans, W. P., A. Holenstein, and J. Mathieu, eds, *Empowering interactions. Political cultures and the emergence of the state in Europe 1300–1900* (Farnham 2009).
- Blok, P. J., 'De eerste jaren der Bourgondische heerschappij van Holland, 1428–1434', *Bijdragen voor de vaderlandsche geschiedenis en oudheidkunde* 3rd series 2 (1885) 319–48.
- Blok, P. J., 'De eerste regeringsjaren van hertog Albrecht van Beieren (1358–1374)', *Bijdragen voor vaderlandsche geschiedenis* 3rd series 2 (1885) 244–84.
- Blok, P. J., 'De financiën van het graafschap Holland', *Bijdragen voor vaderlandsche geschiedenis en oudheidkunde* 3rd series 3 (1886) 36–130.
- Blok, P. J., *Geschiedenis van het Nederlandsche volk* (Groningen 1892).
- Bocage, C., 'Les États de Hainaut (des origines à la maison de Bourgogne)', *SL* 2 (1951) 68–77.
- Boendale, J. van, *Brabantsche Yeesten*, J. F. Willems and J. H. Bormans, eds (3 vols, Brussels 1839–67).
- Boendale, J. van, *Der leken spiegel. Leerdicht van den jare 1330*, ed. M. de Vries (Leiden 1848).
- Boer, D. E. H. de, *De rekeningen van de grafelijkheid van Holland uit de Beierse periode. III. De rekeningen van de gerechtelijke ambtenarij*. RGP Grote serie 174 (The Hague 1980).
- Boer, D. E. H. de, *Graaf en grafiek. Sociale en economische ontwikkelingen in het middeleeuwse 'Noordholland' tussen 1345 en 1415* (Leiden 1978).
- Boer, D. E. H. de, 'Positioning princely power. Dynastic policy and the instruments of authority used by the Counts of Holland, 1299–1433', in: M. Gosman, A. Vanderjagt, and J. Veenstra, eds, *The growth of authority in the medieval West* (Groningen 1998) 1–25.
- Boffa, S., *Warfare in medieval Brabant, 1356–1406* (Rochester 2004).
- Boland, G., 'Les deux versions du pacte d'alliance des villes brabançonnnes de 1261–1262', *RBPH* 23 (1944).
- Boland, G., 'Un siècle d'alliances interurbaines en Brabant', in: *Miscellanea historica in honorem Alberti de Meyer. Recueil de travaux d'histoire et de philologie* 3rd series 22/23 (Leuven, Brussels 1946) 613–25.
- Boland, G. and E. Lousse, 'Le testament d'Henri II, duc de Brabant', *Revue du droit français et étranger* 18 (1939) 348–85.
- Bolsée, J., *La grande enquête de 1389 en Brabant* (Brussels 1929).
- Bonenfant, P., *Du meurtre de Montereau au traité de Troyes*. Memoires classe des lettres 52 (Brussels 1958).
- Bonenfant, P., 'L'origine du titre "duc de Brabant"', in: *Miscellanea Tornacensia* (Brussels 1951) 704–12.
- Bonenfant, P., 'Les traits essentiels du règne de Philippe le Bon', *Bijdragen en Mededelingen van het Historisch Genootschap* 74 (1960) 10–29.
- Bonenfant, P., *Philippe le Bon* (Brussels 1943).
- Bonenfant, P. and J. Stengers, 'Le rôle de Charles le Téméraire dans le gouvernement de l'état Bourguignon en 1465–1467', *AB* 25 (1953) 7–29; 118–33.
- Bonenfant, P., J. Bartier, and A. Nieuwenhuysen, *Ordonnances de Philippe le Hardi et de Marguerite de Male. Du 16 octobre 1381 au 31 décembre 1393*. Recueil des ordonnances des Pays-Bas (Brussels 1965).
- Bonenfant, P., J. Bartier, and A. van Nieuwenhuysen, *Ordonnances de Philippe le Hardi et de Marguerite de Male. Du 17 janvier 1394 au 25 février 1405*. Recueil des ordonnances des Pays-Bas (Brussels 1974).
- Boom, H. den and J. van Herwaarden, eds, 'Rotterdamse kroniek. Aantekeningen van Rotterdamse stadssecretarissen, 1315–1499 (1570)', in: *Nederlandse historische bronnen* 2 (The Hague 1980) 1–102.

- Boone, M., *À la recherche d'une modernité civique. La société urbaine des anciens Pays-Bas au Bas Moyen Âge* (Brussels 2010).
- Boone, M., *Gent en de Bourgondische hertogen ca. 1384–ca. 1453. Een sociaal-politieke studie van een staatsvormingsproces*. Verhandelingen van de KALSK. Klasse der letteren 133 (Brussels 1990).
- Boone, M., ‘“In den beginne was het woord”. De vroege groei van “parlementen” in de middeleeuwse vorstendommen der Nederlanden’, *BMGN* 120 (2005) 338–61.
- Boone, M., ‘La Hollande, source de capital social pour un Flamand ambitieux? Les intérêts et les aventures de Pierre Lanchals, grand commis de l’État Burgundo-Habsbourgeois (vers 1441/42–1488)’, in: P. Hoppenbrouwers, A. Janse, and R. Stein, eds, *Power and persuasion. Essays on the art of state building in honour of W. P. Blockmans* (Turnhout 2010) 197–223.
- Boone, M., ‘Les ducs, les villes et l’argent des contribuables. Le rêve d’un impôt princier permanent en Flandre à l’époque bourguignonne’, in: *L’impôt au Moyen Âge. L’impôt public et le prélèvement seigneurial. Fin XIIe–début XVIe siècle 2* (Paris 2002) 323–41.
- Boone, M., ‘Les juristes et la construction de l’État bourguignon aux Pays-Bas. État de la question, pistes de recherches’, in: *Les Pays-Bas bourguignons. Histoire et institutions. Mélanges André Uytendaele* (Brussels 1996) 105–20.
- Boone, M., ‘Overheidsfinanciën in de Middeleeuwse Zuidelijke Nederlanden’, *Tijdschrift voor fiscaal recht* 117 (1993) 105–15.
- Boone, M., ‘Particularisme Gantois, centralisme Bourguignon et diplomatie Française. Documents inédits autour d’un conflit entre Philippe le Hardi, duc de Bourgogne, et Gand en 1401’, *BCRH* 152 (1986) 49–113.
- Boone, M., ‘Soeverein-baljuw van Vlaanderen (1372–1733)’, in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 115–22.
- Boone, M. and H. Brand, ‘De ondermijning van het Groot Privilege van Holland, Zeeland en West-Friesland volgens de instructie van 12 december 1477’, *Holland* 24 (1992) 2–21.
- Boone, M., and M. Prak, ‘Rulers, patricians and burghers: the great and little traditions of urban revolt in the Low Countries’, in: K. Davids and J. Lucassen, eds, *A miracle mirrored. The Dutch Republic in European perspective* (Cambridge 1995) 99–133.
- Borchgrave, E. de, *Histoire des rapports de droit public qui existèrent entre les provinces Belges et l’empire d’Allemagne depuis le démembrement de la monarchie Carolingienne jusqu’à l’incorporation de la Belgique à la république française* (Brussels; Ghent; Leipzig; The Hague; Paris 1870).
- Borgnet, J., ‘L’origine du Conseil Provincial de Namur’, *ASAN* 10 (1868) 433–92.
- Bormans, S., ‘Gilbert de Mons’, in: *BNB* 7 (Brussels 1880) 750–4.
- Bormans, S., *Recueil des ordonnances de la principauté de Liège* 974–1506 (Brussels 1878).
- Bos-Rops, J. A. M. Y., ‘De Hollandse douarie van Johanna van Brabant (1322–1413). Een voorbeeld van middeleeuwse betalingspraktijken’, *Holland* 24 (1992) 78–93.
- Bos-Rops, J. A. M. Y., *Graven op zoek naar geld. De inkomsten van de graven van Holland en Zeeland, 1389–1433*. Hollandse studiën 29 (Hilversum 1993).
- Bos-Rops, J. A. M. Y., ‘Kamerheer, kanselier, tesorier. Financieel beheer in de Nederlandse gewesten vóór de overgang naar het Bourgondisch-Habsburgse statencomplex’, in: J. Th. de Smidt, ed., *Van tesorier tot thesaurier-generaal. Zes eeuwen financieel beleid in handen van een hoge Nederlandse ambtsdarager* (Hilversum 1996) 3–15.

- Bos-Rops, J. A. M. Y., 'Van incidentele gunst tot jaarlijkse belasting: de bedde in het vijftiende-eeuwse Holland', in: J. de Smidt, ed., *Fiscaliteit in Nederland. 50 jaar belastingmuseum prof. dr Van der Poel* (Zutphen; Deventer 1987) 21–32.
- Bos-Rops, J. A. M. Y., 'Willem Eggert (ca. 1360–1417). Een Amsterdams koopman in grafelijke dienst', *Hollandse Studiën* 12 (1982) 37–72.
- Bos-Rops, J. A. M. Y., J. G. Smit, and E. T. van der Vlist, *Holland bestuurd. Teksten over het bestuur van het graafschap Holland in het tijdvak 1299–1567*. ING-onderzoeksgidsen 4 (The Hague 2007).
- Boulton, D'A. J. D., *The knights of the crown. The monarchical orders of knighthood in late medieval Europe 1325–1520* (Woodbridge 1987).
- Bourguignon, M., *Les chartes du Luxembourg. Introduction à l'inventaire des chartes et cartulaires du Luxembourg* (Luxemburg 1931).
- Bovesse, J., 'Le personnel administratif du comté de Namur au bas moyen âge. Aperçu général', *Revue de l'Université de Bruxelles* 22 (1969) 432–56.
- Braake, S. ter, *Met recht en rekenschap: de ambtenaren bij het Hof van Holland en de Haagse Rekenkamer in de Habsburgse tijd (1483–1558)*. Hollandse studiën 42 (Hilversum 2007).
- Braddick, M. J., *State-formation in early modern England, c. 1550–1700* (Cambridge 2000).
- Bragt, R. van, *De Blijde Inkomst van de hertogen van Brabant Johanna en Wenceslas*. SL 13 (Leuven 1956).
- Brand, H., *Over macht en overwicht: stedelijke elites in Leiden (1420–1510)*. Studies in urban social, economic and political history of the medieval and modern low countries 6 (Leuven; Apeldoorn 1996).
- Brill, W. G., 'Huwelijksplechtigheden van. Karel van Bourgondië en Margaretha van York', *Kronijk van het Historisch genootschap* 22 (1866) 17–71.
- Brokken, H. M., *Het ontstaan van de Hoekse en Kabeljauwse twisten* (Zutphen 1982).
- Brokken, H. M. and H. De Schepper, 'Beheer en controle van de overheidsfinanciën in de Nederlanden tot omstreeks 1600', in: P. J. Margry, E. van Heukelom, and A. Linders, eds, *Van Camere vander Rekeninghen tot Algemene Rekenkamer. Zes eeuwen Rekenkamer. Gedenkboek bij het 175-jarig bestaan van de Algemene Rekenkamer* (The Hague 1989) 15–56.
- Brouwers, D. D., *Les 'aides' dans le comté de Namur au XVe siècle* (Namur 1929).
- Brown, A., 'Bruges and the Burgundian "theatre-state": Charles the Bold and our lady of the snow', *History* 84 (1999) 573–89.
- Brundage, J. A., *Medieval canon law* (London; New York 1995).
- Bruwier, M., 'Aux origines d'une institution. Baillis et prévôtes de Hainaut du XIIe au XIVe siècle', *SL* 3 (1952) 93–124.
- Bruwier, M., 'Het bestuur van een vorstendom in de Middeleeuwen. Henegouwen', *Gemeentekrediet van België* 17 (1963) 29–42.
- Bruwier, M., 'Le domaine des comtes de Hainaut du Xe au XIIIe siècle', *Revue de l'Université de Bruxelles* 22 (1969) 490–509.
- Bruwier, M., 'Notes sur les finances hennuyères à l'époque bourguignonne', *MA* 54 (1948) 133–59.
- Bultot-Verleysen, A.-M., 'La recette domaniale des comtes de Namur comme source de l'histoire du domaine avant la période Bourguignonne. Possibilités et limites d'exploitation', in: G. Braive and J.-M. Cauchies, eds, *La critique historique à l'épreuve. Libre discipulum Jacques Paquet* (Brussels 1989) 133–48.
- Buntinx, J., *De Audiëntie van de graven van Vlaanderen. Studie over het centraal grafelijk gerecht (c. 1330–c. 1409)*. Verhandelingen van de Koninklijke Vlaamse Academie van Wetenschappen, Letteren en Schone kunsten. Klasse der Letteren 10 (Brussels 1949).

- Buntinx, J., 'De instellingen van de vorstendommen. De dertiende eeuw', in: *AGN* (Utrecht 1950).
- Buntinx, J., *Inventaris van het archief van de Raad van Vlaanderen* (Brussels 1964).
- Buntinx, W., 'Audiëntie van de graven van Vlaanderen (ca. 1330–ca. 1409)', in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 123–30.
- Buntinx, W., 'De enquête van Oudenburg. Hervorming van de repartitie van de bedde in het graafschap Vlaanderen (1408)', *BCRH* 134 (1968) 75–138.
- Burgers, J. W. J., 'De grafelijke raad in Holland in de dertiende eeuw. De evolutie van een centraal bestuursorgaan en de rol daarin van de grafelijke klerken', in: D. P. Block, ed., *Datum et actum. Opstellen aangeboden aan Jaap Kruisheer* (Amsterdam 1998) 67–109.
- Bussche, E. van den, *Une complainte ecclésiastique au duc de Brabant et au comte de Hainaut, document inédit du XIV^e siècle* (Brussels 1886).
- Buylaert, F., *Eeuwen van ambitie. De adel in laatmiddeleeuws Vlaanderen*. Verhandelingen van de Koninklijke Vlaamse Academie van België voor Wetenschappen en Kunsten. Nieuwe reeks, 21 (Brussels 2010).
- Buyten, L. van, 'De oorsprong en de stichting van de Leuvense universiteit', in: L. van Buyten, ed., *550 jaar Universiteit Leuven* (Leuven 1976) 23–6.
- Caenegem, R. C. van, *De instellingen van de middeleeuwen* (Ghent 1978).
- Caenegem, R. C. van, *History of European civil procedure*. International encyclopedia of comparative law (Tübingen 1973).
- Caenegem, R. C. van, and F. L. Ganshof, *Guide to the sources of medieval history* (Amsterdam 1978).
- Caenegem, R. C. van, and L. Milis, 'Kritische uitgave van de "Grote Keure" van Filips van de Elzas, graaf van Vlaanderen, voor Gent en Brugge (1165–1177)', *BCRH* 143 (1977) 207–47.
- Camp, V. van, *De oorkonden en de kanselarij van de graven van Henegouwen, Holland en Zeeland. Schriftelijke communicatie tijdens een personele unie: Henegouwen, 1280–1343* (Hilversum 2011).
- Camps, H. P. H., *Oorkondenboek van Noord-Brabant tot 1312 I, De Meierij van 's-Hertogenbosch (met de heerlijkheid Gemert)* (The Hague 1979).
- Canning, J. P., 'Law, sovereignty and corporation theory, 1300–1450', in: J. H. Burns, ed., *The Cambridge history of medieval political thought, c. 350–c. 1450* (Cambridge 1988) 454–76.
- Carasso-Kok, M. and C. L. Verkerk, 'Eenheid en verdeeldheid. Politieke en sociale geschiedenis tot in de zestiende eeuw', in: M. Carasso-Kok, ed., *Geschiedenis van Amsterdam tot 1578* (Amsterdam 2004) 205–49.
- Carlier, P., 'Contribution à l'étude de l'unification Bourguignonne dans l'historiographie nationale Belge de 1830 à 1914', *Revue Belge d'histoire contemporaine* 16 (1985) 1–24.
- Caron, M. T., *La noblesse dans le duché de Bourgogne 1315–1477* (Lille 1987).
- Cauchies, J.-M., 'Centralisation judiciaire et particularismes: les procédures de recours en Hainaut au début des temps modernes', in: J.-M. Cauchies and J.-M. Duvoquel, eds, *Recueil d'études d'histoire hainuyère offertes à Maurice A. Arnould* 1 (Mons 1982) 46–64.
- Cauchies, J.-M., 'Conseil souverain de Hainaut', in: B. Desmale, J.-M. Cauchies, eds, *Les institutions publiques régionales et locales en Hainaut et Tournai/Tournais sous l'Ancien Régime*. Archives générales du Royaume et archives de l'État dans les provinces. Miscellanea archivistica Studia 119 (Brussels 2009) 123–35.
- Cauchies, J.-M., 'De la regenterie à l'autonomie. Deux ordonnances de cour et de gouvernement de Maximilien et Philippe le Beau', *BCRH* 171 (2005) 43–88.

- Cauchies, J.-M., 'État bourguignon ou états bourguignons? De la singularité d'un pluriel', in: P. Hoppenbrouwers, A. Janse and R. Stein, eds, *Power and persuasion. Essays on the art of state building in honour of W. P. Blockmans* (Turnhout 2010) 49–58.
- Cauchies, J.-M., 'Justice bicéphale et recours au prince en Hainaut à la fin du moyen âge', *TRG* 54 (1986) 113–26.
- Cauchies, J.-M., *La législation princière pour le comté de Hainaut: ducs de Bourgogne et premiers Habsbourg, 1427–1506: contribution à l'étude des rapports entre gouvernants et gouvernés dans les Pays-Bas à l'aube des temps modernes* (Brussels 1982).
- Cauchies, J.-M., 'La professionalisation dans les cours de justice princières des Pays-Bas aux XIVe–XVe siècles', in: *Vorträge zur Justizforschung. Geschichte und Theorie 1. Rechtsprechung. Materialien und Studien 4* (Frankfurt am Main 1992) 19–44.
- Cauchies, J.-M., 'Le grand bailliage', in: B. Desmale and J.-M. Cauchies, eds, *Les institutions publiques régionales et locales en Hainaut et Tournai/Tournais sous l'Ancien Régime*. Archives générales du Royaume et archives de l'État dans les provinces. Miscellanea archivistica Studia 119 (Brussels 2009) 136–44.
- Cauchies, J.-M., 'Messageries et messagers en Hainaut au XV^{me} siècle', *MA* 82 (1976) 89–123; 301–41.
- Cauchies, J.-M., *Ordonnances de Jean sans Peur, 1405–1419*. Recueil des ordonnances des Pays-Bas (Brussels 2001).
- Cauchies, J.-M., 'Recueil des ordonnances des Pays-Bas' (s.l. 1974).
- Cauwenberghe, E. van, *Het vorstelijk domein en de overheidsfinanciën in de Nederlanden (15de en 16de eeuw). Een kwantitatieve analyse van Vlaamse en Brabantse domeinrekeningen*. Gemeentekrediet van België. Historische uitgaven pro civitate, series in 8^o, 61 (Brussels 1982).
- Chalons, R., *Recherches sur les monnaies des comtes de Hainaut* (Brussels 1848).
- Champeaux, E., 'La succession de Bourgogne à la mort de Philippe de Rouvres. Un dossier inédit de la succession de Bourgogne. Les coutumes du duché de Bourgogne et la rédaction des coutumes du Nivernais de 1464', *MSDB* (1936) 1–92.
- Champeaux, E., *Les ordonnances des ducs de Bourgogne sur l'administration de la justice du duché*. Revue Bourguignonne 17 (Dijon; Paris 1907).
- Champeaux, E., *Ordonnances franc-comtoises sur l'administration de la justice (1343–1477): avec une introduction sur les sources, la rédaction et l'influence de ces ordonnances* (Dijon 1912).
- Chastellain, G., *Oeuvres*, ed. Kervyn de Lettenhove (8 vols, Brussels 1863–6).
- Chevalier de Gottal, A., *Les fêtes et les arts à la cour de Brabant à l'aube du XV^e Siècle*. Kieler Werkstücke Reihe D, 7 (Frankfurt am Main 1996).
- Chevalier de Gottal, A., 'Les funérailles des ducs de Brabant', in: E. Rassart-Eeckhout, ed., *La vie matérielle au Moyen Âge. L'apport des sources littéraires, normatives et de la pratique* (Louvain la Neuve 1997) 65–90.
- Clerq, W. de, J. Dumolyn, and J. Haemers, "'Vivre noblement": material culture and elite identity in late medieval Flanders', *Journal of interdisciplinary history* (2007) 1–31.
- Cockshaw, P., 'Comptes généraux de l'état Bourguignon. A propos d'un livre récent', *RBPH* 45 (1967) 484–93.
- Cockshaw, P., 'Heurs et malheurs de la recette générale de Bourgogne', *AB* 41 (1969) 247–69.
- Cockshaw, P., *Le personnel de la Chancellerie de Bourgogne-Flandre sous les ducs de Bourgogne de la maison de Valois (1384–1477)*. *SL* 79 (Kortrijk-Heule 1982).

- Cockshaw, P. and G. Dogaer, 'La valeur historique des représentations du Grand Conseil établi sous Charles le Téméraire à Malines', *Handelingen van den Koninklijken Kring voor Oudheidkunde, Letteren en Kunst van Mechelen* (1973) 27–46.
- Coenen, J. M. A., *Graafen grafelijkheid. Een onderzoek naar de graven van Holland en hun omgeving in de dertiende eeuw* (Utrecht 1986).
- Coigneau, D., ed., *Mariken van Nieumeghen* (Hilversum 1996).
- Coleman, J., *A history of political thought from the Middle Ages to the Renaissance* (Oxford 2000).
- Commynes, P. de, *Mémoires*, ed. P. Contamine (Paris 1994).
- Contamine, P., 'Contribution à l'histoire d'un mythe: les 1.700.000 clochers du royaume de France (XVe–XVIe siècles)', in: J. J. G. Balon-Perin, ed., *Économies et sociétés au moyen âge. Mélanges offerts à Édouard Perroy* (Paris 1973) 414–27.
- Contamine, P., 'Réformer l'État, rationaliser l'administration: à propos du contrôle des finances publiques, 1456–1461', in: J. Kerhervé and A. Rigaudière, eds, *Finances, pouvoirs et mémoire. Mélanges offerts à Jean Favier* (Paris 1999) 388–96.
- Cools, H., 'Le prince et la noblesse dans la châtellenie de Lille à la fin du XVe siècle: un exemple de la plus grande emprise de l'Etat sur les élites locales?' *Revue du Nord* (1995) 387–406.
- Cools, H., *Mannen met macht. Edellieden en de moderne staat in de Bourgondisch-Habsburgse landen (1475–1530)* (Zutphen 2001).
- Coppens, H., 'Meerijen en kwartieren (13de eeuw–1795)', in: R. van Uytven, ed., *De gewestelijke en lokale overheidsinstellingen in Brabant en Mechelen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 82 (Brussels 2000) 627–68.
- Coppens, H. and E. Aerts, 'Ontvangerij-generaal van financiën, koninklijke schatkist (1387–1795)', in: *De centrale overheidsinstellingen van de Habsburgse Nederlanden* (Brussels 1994) 534–46.
- Corbellini, S., *Italiaanse deugden en ondeugden. Dirc Potters Blome der doechden ende Italiaanse Fiore di Virtù* (Amsterdam 2000).
- Cosneau, E., *Les grands traités de la guerre de cent ans*. Collection de textes pour servir à l'étude et à l'enseignement de l'histoire 7 (Paris 1889).
- Courtoy, F. and C. Douchamps-Lefèvre, *Inventaire des archives du Conseil provincial de Namur I* (Brussels 1986).
- Coutiez, Y., 'La part du comté de Hainaut dans les ressources financières de Philippe le Bon', *Mémoires et publications de la Société des sciences, des arts et des lettres du Hainaut* 91 (1980) 105–37.
- Croenen, G., 'Governing Brabant in the twelfth century: the duke, his household and the nobility', in: W. Blockmans, M. Boone, and T. de Hemptinne, eds, *Secretum scriptorum. Liber alumnorum Walter Prevenier* (Leuven; Apeldoorn 1999) 39–76.
- Croenen, G., 'Regions, principalities and regional identity in the Low Countries: the case of the nobility', in: P. Ainsworth and T. Scott, eds, *Regions and landscapes. Reality and imagination in late medieval and early modern Europe* (Oxford 2000) 139–53.
- Cullus, P., 'Les baillis, prévôts et châtelains comtaux', in: B. Desmale and J.-M. Cauchies, eds, *Les institutions publiques régionales et locales en Hainaut et Tournai/Tournais sous l'Ancien Régime*. Archives générales du Royaume et archives de l'État dans les provinces. Miscellanea archivistica Studia 119 (Brussels 2009) 145–57.
- Cullus, P., 'Les officiers de justice des comtes de Hainaut avant Philippe le Bon', in: J.-M. Cauchies and J.-M. Duvosquel, eds, *Recueil d'études d'histoire hainuyère offertes à Maurice A. Arnould* 2 (Mons 1983) 75–89.

- Cuvelier, J., *Actes des États Généraux des anciens Pays-Bas I. Actes de 1427 à 1477*. Koninklijke commissie voor geschiedenis. Verzameling der handelingen van de Staten Generaal (Brussels 1948).
- Cuvelier, J., *Inventaire des archives de la ville de Louvain* (Leuven 1929).
- Cuvelier, J., *Les dénombremens des foyers en Brabant (XIV^e–XVI^e siècle)* (Brussels 1912).
- Damen, M. J. M., 'Corrupt of hoofs gedrag. Geschenken en het netwerk van een laatmiddeleeuwse Hollandse stad', *Tijdschrift voor Sociale en Economische Geschiedenis* 2 (2005) 68–94.
- Damen, M. J. M., 'De Raad volgens Rosa. De vorming en samenstelling van de Raad van Holland en Zeeland (1428–1447)', in: R. Huijbrecht, ed., *Handelingen van het eerste Hof van Holland symposium*. Algemeen Rijksarchief publikatiereeks 4 (The Hague 1997) 29–41.
- Damen, M. J. M., *De staat van dienst. De gewestelijke ambtenaren van Holland en Zeeland in de Bourgondische periode (1425–1482)*. Hollandse studiën 36 (Hilversum 2000).
- Damen, M. J. M., 'Education or connections? Learned officials in the Council of Holland and Zeeland in the fifteenth century', in: K. Goudriaan, J. Moolenbroek, and A. Tervoort, eds, *Education and learning in the Netherlands. Essays in honour of Hilde de Ridder-Symoens*. Brill's studies in intellectual history 123 (Leiden, Boston 2004) 51–67.
- Damen, M. J. M., 'Linking court and counties. The governors and stadholders of Holland and Zeeland in the fifteenth century', *Francia. Forschungen zur westeuropäischen Geschichte* 29 (2002) 257–68.
- Damen, M. J. M., 'Taxation for prince and officers. The Council of Holland and the aides in the Burgundian period', in: R. Stein, ed., *Powerbrokers in the late Middle Ages*. Burgundica 4 (Turnhout 2001) 27–46.
- Damen, M. J. M., 'The nerve centre of political networks? The Burgundian court and the integration of Holland and Zeeland into the Burgundian state, 1425–1477', in: S. Gunn and A. Janse, eds, *The court as a stage. England and the Low Countries in the later Middle Ages* (Woodbridge 2006) 70–84.
- Dauchy, S., 'De la défense des droits du roi et du bien comun à l'assistance aux plaideurs: diversité des missions du ministère public', in: J.-M. Carbasse, ed., *Histoire du parquet* (Paris 2000) 55–75.
- Dauchy, S., *De processen in beroep uit Vlaanderen bij het Parlement van Parijs (1320–1521). Een rechtshistorisch onderzoek naar de wording van staat en soevereiniteit in de Bourgondisch-Habsburgse periode*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone kunsten van Vlaanderen. Klasse der letteren 154 (Brussels 1995).
- Declercq, G., 'Kamer van de Hoofdredeininge (12de eeuw–1795)', in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 171–87.
- Dekker, C., *Zuid-Beveland. De historische geografie en de instellingen van een Zeeuws eiland in de Middeleeuwen* (Assen 1971).
- Delf, D. van, *Tafel van den Kersten ghelove*, ed. L. M. Fr. Daniëls (Antwerp 1937).
- Delf, D. van, *Dat Bouck der Bloemen*, ed. S. Schoutens (Hoogstraten 1904).
- Delmaire, B., *Le compte général du receveur d'Artois pour 1303–1304. Édition précédée d'une introduction à l'étude des institutions financières de l'Artois aux XIII^e–XIV^e siècles* (Brussels 1977).
- Den Luyster en de glorie van het hertogdom Brabant* (Brussels 1699).
- Devillers, L., *Cartulaire des comtes de Hainaut, de l'avènement de Guillaume II à la mort de Jacqueline de Bavière* (Brussels 1881).

- Devillers, L., *Inventaire analytique des archives des États de Hainaut* (Mons 1884).
- Dhondt, J., 'Les assemblées d'États en Belgique avant 1795', in: W. P. Blockmans, ed., *Estates or powers. Essays in the parliamentary history of the southern Netherlands from the XIIth to the XVIIIth century*. SL 69 (Heule 1977) 179–251.
- Dhondt, J., 'Les origines des États de Flandre', in: W. P. Blockmans, ed., *Estates or powers. Essays in the parliamentary history of the southern Netherlands from the XIIth to the XVIIIth century*. SL 69 1 (Heule 1977) 55–105.
- Dhondt, J., 'Ordres ou puissances. Études sur l'histoire des assemblées représentatives en Belgique du XIIe au XVIIIe siècle', *Annales* 5 (1950) 289–305.
- Dickinson, J., *The Congress of Arras, 1435. A study in medieval diplomacy* (Oxford 1955).
- Dickstein-Bernard, C., *La gestion financière d'une capitale à ses débuts: Bruxelles, 1334–1467* (Brussels 1977).
- Dillay, M., 'Instruments de recherche du Fonds du Parlement de Paris dressés au greffe de la juridiction', *Archives et bibliothèques* 3 (1937) 13–30, 82–92, 190–9.
- Dits die excellente Cronike van Vlaenderen* (Antwerp 1531).
- Dixmude, O. van, *Merkwaardige gebeurtenissen, vooral in Vlaenderen en Brabant en ook in de aangrenzende landstreken van 1377 tot 1443*, ed. J.-J. Lambin (Ypres 1835).
- Dogaer, G., 'A propos de l'ordonnance de Thionville promulguée par Charles de Téméraire en 1473', *AB* (1973) 45–9.
- Douxchamps, H., 'La vente du comté de Namur à Philippe le Bon (16 janvier 1421)', *ASAN* 65 (1987) 119–69.
- Douxchamps-Lefèvre, C., 'Le Conseil de Namur au début des Temps Modernes (XVe–XVIe siècles)', *ASAN* 53 (1965) 117–87.
- Douxchamps-Lefèvre, C., 'Le privilège de Marie de Bourgogne pour le comté de Namur (mai 1477)', in: W. P. Blockmans, ed., 1477. *Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden*. SL 80 (Kortrijk-Heule 1985) 235–52.
- Douxchamps-Lefèvre, C., *Les procureurs généraux du conseil de Namur sous le régime autrichien: leur action en matière politique* (Leuven 1961).
- Douxchamps-Lefèvre, C., 'L'organisation politique du comté de Namur sous les ducs de Bourgogne', in: G. Asaert, W. Buntinx, and J. A. van Houtte, eds, *Recht en instellingen in de oude Nederlanden tijdens de Middeleeuwen en de Nieuwe Tijd. Liber amicorum Jan Buntinx*. Symbolae 10 (Leuven 1981) 199–210.
- Douxchamps-Lefèvre, C., *Une province dans un monde: le comté de Namur 1421–1797* (Namur 2005).
- Downing, B. M., 'Medieval origins of constitutional government in the West', *Theory and society* 18 (1989) 213–47.
- Dubois, H., *Charles le Téméraire* (Paris 2004).
- Dubois, H., 'Un opérateur "international" au XVème siècle: Jean de Prétin', in: E. Mornet and F. Morenzon, eds, *Milieus naturels, espaces sociaux. Études offertes à Robert Delort* (Paris 1997) 543–53.
- Duerloo, L. and L. de Frenne, 'Het verdeelde huis', in: L. Duerloo and L. de Frenne, eds, *Het verdeelde huis. De Nederlandse opstand tussen opstand en reconciliatie* (Maastricht 2011).
- Duke, A., 'The elusive Netherlands. The question of national identity in the Early Modern Low Countries on the eve of the Revolt', *BMGN* 119 (2004) 10–38.
- Dumas-Dubourg, F., *Le monnayage des ducs de Bourgogne*. Numimatica Lovaniensia 8 (Louvain-la-Neuve 1988).
- Dumolyn, J., *De Brugse opstand van 1436–1438*. Standen en Landen 101 (Bruges 1997).

- Dumolyn, J., *De Raad van Vlaanderen en de Rekenkamer van Rijsel. Gewestelijke overheidsinstellingen als instrumenten van de centralisatie (1419–1477)*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 94 (Brussels 2002).
- Dumolyn, J., 'Les conseillers flamands au XV^eme siècle: rentiers du pouvoir, courtiers du pouvoir', in: R. Stein, ed., *Powerbrokers in the late Middle Ages*. Burgundica 4 (Turnhout 2001) 67–85.
- Dumolyn, J., *Staatsvorming en vorstelijke ambtenaren in het graafschap Vlaanderen (1419–1477)*. Studies in urban social, economic and political history of the medieval and early modern Low Countries 14 (Antwerp; Apeldoorn 2003).
- Dumolyn, J. and F. van Tricht, 'Adel en nobiliteringsprocessen in het laatmiddeleeuwse Vlaanderen: een status quaestionis', *BMGN* 115 (2000) 197–222.
- Dynter, E. de, *Chronica nobilissimorum ducum Brabantiae ac regum Francorum*, ed. F. de Ram (3 vols, Brussels 1854–60).
- Eeckenrode, M. van, *Les États de Hainaut sous le règne de Philippe Le Bon (1427–1467)*. Standen en Landen 107 (Kortrijk-Heule 2011).
- Ehm, P., *Burgund und das Reich. Spätmittelalterliche Aussenpolitik am Beispiel der Regierung Karls des Kühnen (1465–1477)*. Pariser historische Studien 61 (Munich 2002).
- Ehm, P., 'De oppermachtige buurman. Gelre en Bourgondië onder Philips de Goede en Karel de Stoute', in: J. Stinner and K.-H. Tekath, eds, *Het hertogdom Gelre. Geschiedenis, kunst en cultuur tussen Maas, Rijn en IJssel* (Utrecht 2003) 140–4.
- Eijl, E. J. M. van, 'De stichting van de theologische faculteit te Leuven', in: E. J. M. van Eijl, ed., *Facultas S. theologiae Lovaniensis 1432–1797*. Bibliotheca ephemeridum theologicarum Lovaniensium 45 (Leuven 1977).
- Eijl, E. J. M. van, 'The foundation of the university of Louvain', in: J. IJsewijn and J. Paquet, eds, *The universities in the late Middle Ages*. Mediaevalia Lovaniensia series I. Studia 6 (Leuven 1978) 29–41.
- Elias, N., *Het civilisatieproces. Sociogenetische en psychogenetische onderzoeken* (Utrecht 1987).
- Elliott, J. H., 'A Europe of composite monarchies', *Past and present* 134–7 (1992) 48–71.
- Enklaar, D. T., 'Uit de voorgeschiedenis der Staten van Overijsel', in: F. Dieperink, D. Enklaar, and W. Alberts, eds, *Studiën betreffende de geschiedenis van Oost-Nederland van de dertiende tot de vijftiende eeuw*. Bijdragen van het Instituut voor middeleeuwse geschiedenis der Rijks-universiteit te Utrecht 26 (Groningen, Djakarta 1953) 37–87.
- Ertman, T., *Birth of the Leviathan. Building states and regimes in medieval and early modern Europe* (Cambridge 1997).
- Faber, D. J., 'Ambtenaar en rekenschap in Holland circa 1400', in: D. E. H. de Boer, J. W. Marsilje, and J. G. Smit, eds, *Van der rekeninghe. Bijdragen aan het symposium over onderzoek en editieproblematiek van middeleeuws rekeningmateriaal* (The Hague 1998) 183–98.
- Fahlbusch, F. B., 'Städtebund', in: *LMA* 8 (Munich 1997) 17–18.
- Faider, C., *Coutumes du pays et Comté de Hainaut* (Brussels 1871).
- Fantysová-Matějková, J., *Wenceslas de Bohême. Un prince au carrefour de l'Europe* (Paris 2013).
- Favaugue, J., *Les deux confédérations Liégeoises et l'ordonnance de paix de 1271*. Standen en Landen 26 (Brussels 1962).
- Favresse, F., 'Documents relatifs à l'histoire politique intérieure de Bruxelles de 1477 à 1480', *BCRH* 98 (1934) 29–125.
- Favresse, F., *L'avènement du régime démocratique à Bruxelles pendant le Moyen Age (1306–1423)* (Brussels 1932).

- Feenstra, R., 'A quelle époque les Provinces-Unies sont-elles devenues indépendantes en droit à l'égard du Saint-Empire?' *TRG* 20 (1952) 30–63, 182–218, 479–80.
- Flammang, V., 'Partis en Hainaut? La place de la noblesse hainuyère dans la lutte entre Jacqueline de Bavière et Jean IV de Brabant (1424–1428)', *BMGN* 123 (2008) 541–63.
- Flink, K. and B. Thissen, 'De Gelderse steden in de Middeleeuwen—data en feiten, aspecten en suggesties', in: J. Stinner and K.-H. Tekath, eds, *Het hertogdom Gelre. Geschiedenis, kunst en cultuur tussen Maas, Rijn en IJssel* (Utrecht 2003) 207–45.
- Foucart, J., *La gouvernance du souverain bailliage de Lille-Douai-Orchies (1326–1790). Une institution baillivale Française en Flandre* (Lille 1937).
- Frankewitz, S., *Die geldrischen Ämter Geldern, Goch und Straelen im späten Mittelalter*. Veröffentlichungen des Historischen Vereins für Geldern und Umgegend 87 (Geldern 1986).
- Fresne de Beaucourt, G. du, *Histoire de Charles VII* (Paris 1881).
- Froissart, J., *Oeuvres*, ed. J. B. M. C. Kervyn de Lettenhove (26 vols, Brussels 1867–77).
- Fruin, R., *De keuren van Zeeland*. Oud-vaderlandsche rechtsbronnen. Werken der Vereeniging tot uitgaaf der bronnen van het Oud-Vaderlandsch recht second series, 20 (The Hague 1920).
- Fruin, R., 'Schot en bedde in Zeeland', *Verslag van de algemeene vergadering der leden van het Historisch genootschap* (1903) 55–95.
- Fruin, R., *Tien jaren uit den Tachtigjarigen oorlog, 1588–1598* (Amsterdam 1861).
- Fuchs, J. W., *Lexicon Latinitatis Nederlandicae medii aevi* (Leiden 1977).
- Gachard, L. P., 'Analectes historiques, huitième série', *BCRH* 3rd series 1 (1860) 311–496.
- Gachard, L. P., 'Analectes historiques, seizième série', *BCRH* 4th series 1 (1871) 141–316.
- Gachard, L. P., *Collection de documens inédits concernant l'histoire de la Belgique* (Brussels 1833).
- Gachard, L. P., *Rapport sur les documents concernant l'histoire de la Belgique qui existent dans les dépôts littéraires de Dijon et de Paris* Archives de Dijon (Brussels 1843).
- Gachard, L. P., A. Pinchart, and H. Nelis, *Inventaire des Chambres des Comptes* (Brussels 1827).
- Gaillard, A., *Le Conseil de Brabant. Histoire—organization—procédure* (Brussels 1898).
- Galesloot, L., *Inventaire des archives de la cour féodale de Brabant* (Brussels 1870).
- Galesloot, L., 'Revendication du duché de Brabant par l'empereur Sigismund (1414–1437)', *BCRH* 4th series 5 (1878) 437–70.
- Galliot, C. F., *Histoire générale, ecclésiastique et civile de la ville et province de Namur* (Namur 1777).
- Ganshof, F.-L., 'Étude sur le faussement de jugement dans le droit flamand des XIIe et XIIIe siècles', *BCRALO* (1935) 115–40.
- Ganshof, F.-L., 'La Flandre', in: F. Lot and R. Fawtier, eds, *Histoire des institutions françaises au moyen âge I Institutions seigneuriales* (Paris 1957) 343–426.
- Garnier, J., *La recherche des feux en Bourgogne aux XIVe et XVe siècles. Partie septentrionale du duché* (Dijon 1876).
- Garnier, P.-L., 'Les services de la Trésorerie des guerres et de la recette de l'artillerie de Charles le Téméraire', *Revue du Nord* 79 (1997) 969–91.
- Genet, J.-P., 'Conclusion. Chambres des Comptes des principautés et genèse de l'état moderne', in: P. Contamine and O. Mattéoni, eds, *La France des principautés. Les Chambres des Comptes XIVe et XVe siècles* (Paris 1996) 267–79.

- Genet, J. P., 'The government of later medieval France and England: A plea for comparative history', in: C. Fletcher, J. P. Genet, and J. Watts, eds, *Government and political life in England and France, c. 1300–c. 1500* (Cambridge 2015) 1–23.
- Génicot, L., *Atlas historique du Namurois. Cartes du bas moyen âge*. ASAN 52 (Namur 1964).
- Génicot, L., 'Le premier siècle de la "curia" de Hainaut', *MA* 53 (1947) 39–60.
- Génicot, L., *L'Économie rurale Namuroise au bas Moyen âge (1199–1429)* (Leuven 1974).
- Gent, M. J. van, 'Landdagen en andere landelijke bijeenkomsten van Staten en steden van Gelre en Zutphen 1423–1584', <<http://www.ing.nl>>.
- Gent, M. J. van, '*Pertijelike saken*'. *Hoeken en Kabeljauwen in het Bourgondisch-Oostenrijkse tijdperk*. Hollandse historische reeks 22 (The Hague 1994).
- Gent, M. J. van, "'Van alder scult aver vijftich of tsestich jair alt ende alder". Een vijftiende-eeuws Gelders schuldregister in het Hollandse archief', in: E. Dijkhof and M. J. van Gent, eds, *Uit diverse bronnen gelicht. Opstellen aangeboden aan dr J. G. Smit* (The Hague 2008).
- Gent, M. J. van, 'Van boeman tot bondgenoot. Hoofdlijnen in de verhouding tussen Arnold van Gelre en Filips van Bourgondië tot 1457', *BMGelre* 101 (2010) 81–113.
- Gent, M. J. van and M.-C. le Bailly, *Gids voor de landsheerlijke archieven van Gelre, Holland, Zeeland en het Sticht. Bestuurlijke, economische en sociale geschiedenis vóór 1500* (The Hague 2003).
- Ghyssens, J., 'La monnaie des comtes de Hainaut jusque sous la maison d'Avesnes', in: J.-M. Cauchies and J.-M. Duvosquel, eds, *Recueil d'études d'histoire hainuyère offertes à Maurice A. Arnould* 2 (Mons 1982) 563–81.
- Gilissen, J., 'De Grote Raad van Mechelen. Historisch overzicht', in: *Miscellanea Consilii Magni ter gelegenheid van twintig jaar Werkgroep Grote Raad van Mechelen*. Verzamelen en bewerken van de jurisprudentie van de Grote Raad. Nieuwe reeks 4 (Amsterdam 1980) 13–43.
- Gilissen, J., 'Les légistes en Flandre aux XIIIe et XIVe siècles', *BCRALO* 15 (1939) 117–231.
- Gillioudts-van Severen, L., *Coutumes des pays et comté de Flandre: coutume du Franc de Bruges* (Brussels 1879).
- Gillioudts-van Severen, L., *Inventaire des archives de la ville de Bruges* (Bruges 1871).
- Godding, P., 'Appel et recours à chef de sens en Brabant aux XIVe et XVe siècles: Wie hoet heeft, die heeft beroep', *TRG* 65 (1997) 281–97.
- Godding, P., 'Impérialisme urbain ou autodefense. Le cas de Bruxelles (12e–18e siècles)', *BG* 58 (1975) 117–38.
- Godding, P., *La législation ducale en Brabant sous le règne de Philippe le Bon (1430–1467)*. de l'Académie royale de Belgique. Mémoires classe des lettres, Collection in 8°, 3e série 42 (Brussels 2006).
- Godding, P., 'Le Conseil de Brabant, chef de sens, au quinzième siècle', in: T. E. A. Bosman, ed., *Brabandts recht dat is... Opstellen aangeboden aan J. P. A. Coopmans* (Assen; Maastricht 1990) 121–33.
- Godding, P., *Le Conseil de Brabant sous le règne de Philippe le Bon (1430–1467)*. Mémoires de l'Académie royale de Belgique Classe de Lettres 3rd series 19 (Brussels 1999).
- Godding, P., 'Les conflits à propos des lettres échevinales des villes brabançonnnes (XVe–XVIIIe siècles)', *TRG* 22 (1954) 308–53.
- Godding, P., *Verordeningen van Filips de Goede voor de hertogdommen Brabant en Limburg en de Landen van Overmaas. 1430–1467*. Verzameling van de verordeningen van de Nederlanden. Eerste reeks, tweede sectie 2 (Brussels 2005).

- Godding, P. and J. Pycke, 'La paix de Valenciennes de 1114. Commentaire et édition critique', *BCRALO* 29 (1979) 1–142.
- Godding, P. and J. T. de Smedt, 'Evolutie van het recht in samenhang met de instellingen', in: *NAGN* 4 (Haarlem 1980) 172–81.
- Goez, W., *Der Leihzwang. Eine Untersuchung zur Geschichte des deutschen Lehnrechtes* (Tübingen 1962).
- Gondry, G.-H., 'Mémoire historique sur les grands baillis de Hainaut', *Mémoires et publications de la Société des sciences, des arts et des lettres du Hainaut* 4th series 10 (1888) 1–247.
- Gorissen, P., 'Caractères originaux de l'aide namuroise de 1473', in: *Études d'histoire et d'archéologie Namuroises dédiées à Ferdinand Courtoy* (Namur 1952) 565–75.
- Gorissen, P., *De Raadkamer van de hertog van Bourgondië te Maastricht (1473–1477)*. Publications de l'Université Lovanium de Léopoldville (Leuven, Paris 1959).
- Gosses, I. H., *De rechterlijke organisatie in Zeeland in de Middeleeuwen* (Groningen; The Hague 1917).
- Götze, L., 'Ein Scheltbrief des Grafen Johann III. von Nassau-Dillenburg gegen den Herzog Johann von Bayern und Holland', *Monatschrift für die Geschichte Westdeutschlands* 4 (1878) 63–73.
- Graffart, A. and A. Uyttendaele, 'Quelques documents inédits concernant l'accession de la Maison de Bourgogne au duché de Brabant (1395–1404)', *BCRH* 137 (1971) 57–137.
- Gresser, P., *La Franche-Comté au temps de la guerre de cent ans* (Besançon 1989).
- Gresser, P., 'La réforme financière du domaine comtal en Franche-Comté à l'avènement de Charles le Téméraire', *MSDB* 37 (1980) 1–97.
- Gresset, M., 'La Chambre des Comptes de Dôle, 1494–1771: une intégration tardive au Royaume', in: D. le Page, ed., *Contrôler les finances sous l'Ancien Régime. Regards d'aujourd'hui sur les Chambres des Comptes* (Paris 2011) 81–91.
- Greve, A. and É Lebailly, *Comptes de l'argentier de Charles le Téméraire duc de Bourgogne Année 1468. Le registre B 2068 des Archives départementales du Nord* (Paris 2001).
- Grob, J. and J. Vannérus, *Dénombrements des feux des duché de Luxembourg et comté de Chiny I Documents fiscaux de 1306 à 1537* (Brussels 1921).
- Gruben, F. de, *Les chapitres de la Toison d'Or à l'époque bourguignonne (1430–1477)*. Mediaevalia Lovaniensia series 1. Studia 23 (Leuven 1997).
- Grummit, D. and J.-F. Lassalmonie, 'Royal public finance (c. 1290–1523)', in: *Government and political life in England and France, c. 1300–c. 1500* (Cambridge 2015) 116–49.
- Guenée, B., *L'Occident aux XIV^e et XV^e siècles. Les États*. Nouvelle Clio 22 (Paris 1987).
- Guenée, B., *Un meurtre, une société: L'Assassinat du duc d'Orléans, 23 novembre 1407* (Paris 1992).
- Guillot, O., A. Rigaudière, and Y. Sassier, *Pouvoirs et institutions dans la France médiévale II Des temps féodaux aux temps de l'État* (Paris 1994).
- Gysseling, M., *Corpus van Middelnederlandse teksten (tot het jaar 1300) I Ambtelijke bescheiden* (The Hague 1977).
- Haemers, J., *De Gentse opstand. De strijd tussen rivaliserende netwerken om et stedelijk kapitaal*. Standen en Landen 105 (Heule 2004).
- Haemers, J., *De strijd om het regentschap over Filips de Schone. Opstand, facties en geweld in Brugge, Gent en Ieper (1482–1488)*. Historische monografieën Vlaanderen 2 (Ghent 2014).
- Haemers, J., *For the common good. State power and urban revolts in the reign of Mary of Burgundy (1477–1482)*. Studies in European urban history 12 (Turnhout 2008).

- Harsin, P., 'Gouvernés et gouvernants dans la principauté de Liège du XIVe au XVIIIe siècle', *Standen en Landen* 33 (1965) 81–6.
- Hasselt, G. van, *Oorsprong van het hof van Gelderland* (Arnhem 1793).
- Hemptinne, T. de, 'La chancellerie comtale (avant l'époque bourguignonne)', in: B. Desmale and J.-M. Cauchies, eds, *Les institutions publiques régionales et locales en Hainaut et Tournai/Tournais sous l'Ancien Régime*. Archives générales du Royaume et archives de l'État dans les provinces. *Miscellanea archivistica studia* 119 (Brussels 2009) 111–22.
- Hemptinne, T. de and M. Vandermaesen, 'De ambtenaren van de centrale administratie van het graafschap Vlaanderen van de 12e tot de 14e eeuw', *TvG* 93 (1980) 177–209.
- Henin, C., *Les pouvoirs politiques du comté de Namur. Répertoire des institutions publiques centrales, régionales et locales de l'an mil à 1795*. Archives générales du Royaume et Archives de l'état dans les provinces. *Studia* 140 (Brussels 2013).
- Henneman, J. B., *Royal taxation in fourteenth-century France: the captivity and ransom of John II, 1356–1370* (Princeton, NJ 1976).
- Henneman, J. B., *Royal taxation in fourteenth century France: the development of war financing, 1322–1356* (Princeton, NJ 1971).
- Hermesdorf, B. H. D., *Rechtsspiegel: een rechthistorische terugblik in de Lage Landen van het herfstij* (Nijmegen 1980).
- Hermesdorf, B. H. D., 'Te hoofde gaan', in: B. H. D. Hermesdorf, *Recht en taal te hoofde. Opstellen over de ontmoeting tussen Middel-Nederlandse letteren en oudvaderlands recht* (Zwolle 1954) 307–48.
- Herwaarden, J. van, '“Dat Scaecspel”. Een profaan-ethische verkenning', in: J. D. Janssens, ed., *Op avontuur. Middeleeuwse epiek in de Lage Landen*. Nederlandse literatuur en cultuur in de Middeleeuwen 18 (Amsterdam 1998) 304–21.
- Herwaarden, J. van, *Geschiedenis van Dordrecht tot 1572* (Hilversum 1996).
- Hewitt, H. J., *The Black Prince's expedition of 1355–1357* (Manchester 1958).
- Hexter, J. H., 'The education of the aristocracy in the Renaissance', in: J. H. Hexter, ed., *Reappraisals in history* (London 1961) 45–70.
- Hildegaersberch, W. van, *Gedichten*, ed. W. Bisschop and E. Verwijs (The Hague 1870).
- Hindle, S., *The state and social change in early modern England, c. 1550–1640* (Houndmills; New York 2000).
- Hintz, O., 'Typologie der ständischen Verfassungen des Abendlandes', in: G. Oestreich, ed., *Staat und Verfassung. Gesammelte Abhandlungen zur allgemeinen Verfassungsgeschichte* 2 (Göttingen 1962) 120–39.
- Hirschauer, C., *Les États d'Artois de leurs origines à l'occupation française 1340–1640* (Paris 1923).
- Holenstein, A., 'Konsens und Widerstand. Städtische Obrigkeit und landschaftliche Partizipation im städtischen Territorium Bern (15.–16. Jahrhundert)', *Parliaments, estates and representation* 10 (1990) 3–27.
- Hommerich, L. E. M. A. van, 'Filips de Stoute en zijn bedepolitiek in het hertogdom Limburg en de landen van Overmaas (1386–1404)', *Standen en Landen* 70 (1977) 161–82.
- Honacker, K. van, 'The archdukes and their subjects: the political culture of the citizens in the Netherlands', in: W. Thomas and L. Duerloo, eds, *Albert and Isabella, 1598–1621. Essays* (Turnhout 1998) 241–5.
- Hoppenbrouwers, P. C. M., *Een middeleeuwse samenleving. Het Land van Heusden (ca. 1360–ca. 1515)*. A. A. G. bijdragen 32 (Wageningen 1992).
- Hoppenbrouwers, P. C. M., 'Middeleeuwse medezeggenschap: een stand van zaken over standen en Staten', in: E. Dijkhof and M. J. van Gent, eds, *Uit diverse bronnen gelicht. Opstellen aangeboden aan Hans Smit* (The Hague 2008) 133–59.

- Houtte, J. A. van and R. van Uytven, 'Financiën', in: *NAGN* 4 (Bussum 1980) 117–27.
- Hoven van Genderen, B. van den, *Het Kapittel-generaal en de Staten van het Nedersticht in de 15e eeuw*. Stichtse historische reeks 13 (Zutphen 1987).
- Huizinga, J., 'L'État bourguignon, ses rapports avec la France, et les origines d'une nationalité néerlandaise', in: *Verzamelde werken* 2 (Haarlem 1948) 161–215.
- Impens, P., 'Chronica', in: J. Kervyn de Lettenhove, ed., *Chroniques relatives à l'histoire de la Belgique sous la domination des ducs de Bourgogne* 3 (Brussels 1876) 339–468.
- Isenmann, E., *Die deutsche Stadt im Spätmittelalter* (Vienna; Cologne; Weimar 2012).
- Isenmann, E., 'Medieval and renaissance theories of state finance', in: R. Bonney, ed., *Economic systems and state finance. The origins of the modern state in Europe 13th to 18th centuries* (Oxford 1995) 21–52.
- Israel, J. I., *The Dutch Republic. Its rise, greatness, and fall, 1477–1806* (Oxford 1998).
- Janse, A., 'Ambition and administration. Charles the Bold and the feudal levy in Holland', in: M. Gosman, A. Vanderjagt, and J. Veenstra, eds, *The propagation of power in the medieval west* (Groningen 1997) 143–62.
- Janse, A., 'De "groot-Friese gedachte". Achtergronden van de Hollandse expansie in Friesland, tot het midden van de veertiende eeuw', in: D. E. H. de Boer, E. H. P. Cordfunke, and F. W. M. Hugenholtz, eds, *Holland in wording. De ontstaansgeschiedenis van het graafschap Holland tot het begin van de vijftiende eeuw*. Publicaties van de Stichting 'Comité Oud Muiderberg' 53 (Hilversum 1991) 143–61.
- Janse, A., 'De Tweede Stand in laatmiddeleeuws Holland', in: M. J. M. Damen and L. Sicking, eds, *Bourgondië voorbij. De Nederlanden 1250–1650. Liber Alumnorum Wim Blockmans*. Middeleeuwse studies en bronnen 123 (Hilversum 2010) 159–75.
- Janse, A., *Een pion voor een dame. Jacoba van Beieren 1401–1436* (Amsterdam 2009).
- Janse, A., 'Het leenbezit van de Hollandse ridderschap omstreeks 1475', *Jaarboek voor middeleeuwse geschiedenis* (1998) 163–204.
- Janse, A., *Ridderschap in Holland. Portret van een adellijke elite in de late Middeleeuwen*. Adelsgeschiedenis 1 (Hilversum 2001).
- Janse, A., 'The education of the noble Wassenaar family', in: K. Goudriaan, J. van Moolenbroek, and A. Tervoort, eds, *Education and learning in the Netherlands. Essays in honour of Hilde de Ridder-Symoens*. Brill's studies in intellectual history (Leiden; Boston, MA 2004) 33–49.
- Janse, A., *Verkochte vrijheid. Het Leerdamse stadsrecht van 1407*. Middeleeuwse studies en bronnen 105 (Hilversum 2007).
- Jansen, H. P. H., 'Modernization of the government: the advent of Philip the Good in Holland', *BMGN* 95 (1980) 254–64.
- Jansma, T. S., 'De voorgeschiedenis van de instructie voor het Hof van Holland (1462)', in: T. S. Jansma, *Tekst en uitleg* (The Hague 1974) 120–45.
- Jansma, T. S., *Raad en Rekenkamer tijdens hertog Philips van Bourgondië*. Bijdragen van het Instituut voor Middeleeuwse geschiedenis der Rijksuniversiteit Utrecht 18 (Utrecht 1932).
- Jansma, T. S., 'Un document historico-démographique concernant le plat pays de Hollande (environ 1370)', in: *Miscellanea mediaevalia in memoriam Jan Frederik Niermeyer* (Groningen 1967) 345–57.
- Janssens, P., 'De Zuidnederlandse adel tijdens het Ancien Régime (17e–18e eeuw)', *TVG* 93 (1980) 445–501.
- Janssen, W., 'Die niederrheinischen Territorien im Spätmittelalter. Politische Geschichte und Verfassungsentwicklung 1300–1500', *Rheinische Vierteljahrsblätter* 64 (2000) 45–167.

- Janssen, W., 'Landesherrliche Verwaltung und landständische Vertretung in den nieder-rheinischen Territorien, 1250–1350', *Annalen des Historischen Vereins für den Niederrhein* 173 (1971) 87–122.
- Jarry, E., *Formation territoriale de la Bourgogne. Essai de géographie historique* (Paris 1948).
- Jäschke, K.-U., 'Reichsgrenzen und Vasalitäten. Zur Einordnung des französisch-deutschen Grenzraums im Mittelalter', *Jahrbuch für westdeutsche Landesgeschichte* 22 (1996) 113–78.
- Jassemijn, H., *La Chambre des Comptes de Paris au XVe siècle* (Paris 1933).
- Jassemijn, H., 'Le contrôle financier en Bourgogne sous les derniers ducs capétiens, 1274–1353', *Bibliothèque de l'École des chartes* 79 (1918) 102–41.
- Jean, M., *La Chambre des Comptes de Lille. L'institution et les hommes (1477–1667)*. Mémoires et documents de l'École des chartes 36 (Paris 1992).
- Jonge, K. de, 'Brüssel [Bruxelles]', in: W. Paravicini, ed., *Höfe und Residenzen im spätmittelalterlichen Reich* (Ostfildern 2003) 90–4.
- Jongkees, A. G., 'Bourgondië en de Friese Vrijheid', *De vrije Fries* 41 (1953) 63–78.
- Jongkees, A. G., 'Charles le Téméraire et la souveraineté. Quelques considérations', *BMGN* 95 (1980) 315–34.
- Jongkees, A. G., 'Het groot privilege van Holland en Zeeland (14 maart 1477)', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden*. Standen en Landen 80 (Kortrijk-Heule 1985) 145–234.
- Jongkees, A. G., *Staat en kerk in Holland en Zeeland onder de Bourgondische hertogen 1425–1477*. Bijdragen van het Instituut voor middeleeuwse geschiedenis der Rijks-universiteit te Utrecht 21 (Utrecht 1942).
- Jongkees, A. G., 'Une génération d'historiens devant le phénomène bourguignon', *BMGN* 88 (1973) 215–32.
- Junot, Y., 'L'avocat fiscal', in: B. Desmale and J.-M. Cauchies, eds, *Les institutions publiques et locales en Hainaut et Tournai/Tournais sous l'Ancien Régime*. Archives générales du Royaume et archives de l'État dans les provinces. Miscellanea archivistica Studia 119 (Brussels 2009) 167–75.
- Kan, F. J. W. van, 'Boudijn van Zwieten, tesorier van Holland', *Holland* 13 (1981) 288–305.
- Kantorowicz, E., *The King's two bodies. A study in medieval political theology* (Princeton, NJ 1957).
- Kauch, P., *L'administration et le contrôle des finances du duché de Brabant (1404–1467)* (Brussels 1933).
- Kauch, P., 'Le Trésor de l'Epargne', *RBPH* 11 (1932) 703–19.
- Kauch, P., 'Note sur l'organisation matérielle de la Chambre des Comptes de Bruxelles (1404–1473)', *Bulletin de la Société royale d'archéologie de Bruxelles* 1 (1945) 15–22.
- Kerckhoffs-De Heij, A. J. M., *De Grote Raad en zijn functionarissen* (Amsterdam 1980).
- Kerremans, C., *Étude sur les circonscriptions judiciaires et administratives du Brabant et les officiers placés à leur tête par les ducs antérieurement à l'avènement de la maison de Bourgogne (1406)*. Mémoires. Classe des lettres, et des sciences morales et politiques. Collection in 8°, second series 55. (Brussels 1949).
- Kervyn de Lettenhove, J., *Istorie et croniques de Flandres, d'après les textes de divers manuscrits* (Brussels 1880).
- Kieft, C. van de, 'De Staten-Generaal in het Bourgondisch-Oostenrijkse tijdvak (1464–1555)', in: *500 jaren Staten-Generaal in de Nederlanden. Van Statenvergadering tot Volksvertegenwoordiging* (Assen 1964) 1–27.

- Kittell, E. E., *From ad hoc to routine* (Philadelphia, PA 1991).
- Koenigsberger, H. G., 'Dominum regale or Dominum politicum et regale. Monarchies and parliaments in early modern Europe', in: H. G. Koenigsberger, *Politicians and virtuosi. Essays in early modern history* (London; Ronceverte 1986) 1–25.
- Koenigsberger, H. G., *Monarchies, states general and parliaments. The Netherlands in the fifteenth and sixteenth centuries* (Cambridge 2001).
- Koerperich, R., *Les lois sur la mainmorte dans les Pays-Bas catholique: étude sur l'édit du 15 septembre 1753, ses précédents et son exécution* (Leuven 1922).
- Kokken, H., *Steden en Staten. Dagvaarten van steden en Staten van Holland onder Maria van Bourgondië en het eerste regentschap van Maximiliaan van Oostenrijk (1477–1494)*. Hollandse historische reeks 16 (The Hague 1991).
- Kort, J. C., *Het archief van de graven van Holland, 889–1581*. Rijksarchieven in Holland. Inventarisreeks 23 (The Hague 1981).
- Kossmann-Putto, J., *Het heimelijk gerecht. Het Westfaalse veemgerecht en de noordelijke Nederlanden in de late middeleeuwen*. Middeleeuwse studies en bronnen 31 (Hilversum 1993).
- Krieger, K.-F., *Die Lehnshoheit der deutschen Könige im Spätmittelalter (ca. 1200–1437)*. Untersuchungen zur deutschen Staats- und Rechtsgeschichte NF 23 (Aalen 1979).
- Kruisheer, J. G., *De oorkonden en de Kanselarij van de graven van Holland tot 1299* (The Hague; Haarlem 1971).
- Kruse, H. and W. Paravicini, *Die Hofordnungen der Herzöge von Burgund. I. Herzog Philipp der Gute, 1407–1467*. Instrumenta 10 (Ostfildern 2005).
- Kuys, J. A. E., *De ambtman in het kwartier van Nijmegen (ca. 1250–1543)* (Nijmegen 1987).
- Kuys, J. A. E., 'De ambtman van Grave en het Land van Cuyk, Johan van der Donck (1443–1479)', *BMGelre* 76 (1985) 21–35.
- Kuys, J. A. E., 'De financiële instellingen van het hertogdom Gelre. Een inventariserend overzicht', in: O. Moorman van Kappen, F. Keverling Buisman, and O. Scholten, eds, *Van hertogdom Gelre tot provincie Gelderland; hoofdstukken uit de geschiedenis van bestuur en bestuursinrichting van Gelderland 1339–1989* (Nijmegen 1990) 27–51.
- Kuys, J. A. E., *Drostambt en schoutambt: de Gelderse ambtsorganisatie in het kwartier van Zutphen (ca. 1200–1543)*. Werken uitgegeven door Gelre 45 Hilversum 1994).
- Kuys, J. A. E., 'Gelderse domeinen en Bourgondisch bestuur. Twee "staten van het domein" betreffende het kwartier van Nijmegen', *Nederlandsch archievenblad* 92 (1988) 152–67.
- Kuys, J. A. E., *Kerkelijke organisatie in het middeleeuwse bisdom Utrecht* (Nijmegen 2004).
- Lacomblet, T. J., *Urkundenbuch für die Geschichte des Niederrheins* (Düsseldorf 1840).
- Lalou, E., 'La Chambre des Comptes de Paris: sa mise en place et son fonctionnement (fin XIIIe–XIVe siècle)', in: P. Contamine and O. Mattéoni, eds, *La France des principautés. Les Chambres des Comptes XIVe et XVe siècles* (Paris 1996) 3–15.
- Lambrecht, D., 'Centralisatie onder de Bourgondiërs van Audiëntie naar Parlement van Mechelen', *Bijdragen voor de geschiedenis der Nederlanden* 20 (1966) 83–109.
- Lambrecht, D. and J. van Rompaey, 'De staatsinstellingen in het zuiden van de 11de tot de 14de eeuw', in: *NAGN* 4 (Haarlem 1982) 77–134.
- Lameere, E., *Le Grand Conseil des ducs de Bourgogne de la maison de Valois* (Brussels 1900).
- Lannoy, B. de and G. Dansaert, *Jean de Lannoy, le bâtisseur* (Brussels 1936).
- Lannoy, G., *Ceuvres de Ghillebert de Lannoy: voyageur, diplomate et moraliste* (Leuven 1878).
- Lasonder, L. W. A. M., *Bijdrage tot de geschiedenis van de hooge vierschaar in Zeeland* (The Hague 1909).

- Laurent, H., *La loi de Gresham au Moyen Age. Essai sur la circulation monétaire entre la Flandre et le Brabant à la fin du XIVe siècle*. Travaux de la Faculté de philosophie et lettres de l'Université de Bruxelles 5 (Brussels 1933).
- Laurent, H. and F. Quicke, 'Documents pour servir à l'histoire de la maison de Bourgogne en Brabant et en Limbourg (fin du XIVe siècle)', *BCRH* 97 (1933) 39–188.
- Laurent, H. and F. Quicke, *L'accession de la maison de Bourgogne aux duchés de Brabant et de Limbourg (1383–1407) I Jusqu'à l'acquisition du duché de Limbourg et des terres d'Outre-Meuse (1383–1396)* (Brussels 1939).
- Laurent, H. and F. Quicke, 'La guerre de la succession du Brabant (1356–1357)', *Revue du Nord* 13 (1927) 81–121.
- Laurent, R., *Documenten met betrekking tot de Kanselarij van Brabant (14de–15de eeuw)*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Catalogus 134 (Brussels 1995).
- Laurent, R., *Les sceaux des princes territoriaux belges du Xe siècle à 1482* (Brussels 1993).
- Laurière, M. de, *Ordonnances des rois de France de la troisième race, recueillies par ordre chronologique: avec des renvois des unes aux autres, des sommaires, des observations sur le texte et cinq tables... II* (Paris 1729).
- Leeuwen, C. G. van, *Denkbeelden van een vliesridder. De Instruction d'un jeune prince van Guillebert van Lannoy* (Amsterdam 1975).
- Leguai, A., 'Démographie médiévale dans le duché de Bourgogne: sources et méthodes', in: *La démographie médiévale. Sources et méthodes*. Annales de la Faculté des lettres et sciences humaines de Nice 17 (Paris 1972) 73–88.
- Lejeune, J., *Liège et son Pays. Naissance d'une patrie (XIIIe–XIVe siècles)*. Bibliothèque de la Faculté de philosophie et lettres de l'Université de Liège 112 (Liege 1948).
- Lentz, M., *Konflikt, Ehre, Ordnung. Untersuchungen zu den Schmähbriefen und Schandbildern des späten Mittelalters und der frühen Neuzeit (ca. 1350 bis 1600)*. Veröffentlichungen der Historischen Kommission für Niedersachsen und Bremen, 217 (Hanover 2004).
- Leupen, P., 'De ontwikkeling van het middeleeuwse soevereiniteitsbegrip: teloororgang van een relationele conceptie?' *TG* 18 (1991) 387–97.
- Leupen, P., *Philip of Leyden. A fourteenth century jurist*. Rechtshistorische studies 7 (The Hague; Zwolle 1981).
- Leyden, P. van, *De cura reipublicae et sorte principantis*, ed. R. Fruin. Werken der Vereeniging tot uitgave der bronnen van het oud vaderlandsche recht, 2nd series 1 (The Hague 1900).
- Leyte, G., *Domaine et domanialité publique dans la France médiévale (XIIe–XVe siècles)* (Strasbourg 1996).
- Leyte, G., 'Les origines médiévales du ministère public', in: Jean-Marie Carbasse, ed., *Histoire du parquet* (Paris 2000) 23–54.
- Limburg Brouwer, P. A. S. van, *Boergoensche charters, 1428–1482* (The Hague 1869).
- Linssen, C. A. A., 'Keizer Sigismund, opperleenheer in de Nederlanden (1410–1437)', in: D. E. H. de Boer and J. W. Marsilje, eds, *De Nederlanden in de late Middeleeuwen* (Utrecht 1987) 326–53.
- Lombarts, R. W. G., *Memorialen van het Hof (den Raad) van Holland, Zeeland en West-Friesland, van den secretaris Jan Rosa* (4 vols, Leiden 1982–88).
- Lombarts, R. W. G., 'Nota, te setten dair 't behoort. Enkele opmerkingen over de oudste registers van het archief van het Hof van Holland', *Nederlands archievenblad* 89 (1985) 367–74.
- Loovens, J. E., *Practycke, stiel ende maniere van procederen in haere majesteys souvereynen raede van Brabant* (Brussels 1745).

- Lot, F. and R. Fawtier, *Histoire des institutions Françaises au Moyen Âge* II. *Institutions royales* (Paris 1958).
- Louant, A., 'Reflexions sur le caractère fondamental et l'influence du conseil souverain du Hainaut', in: E. Lousse, ed., *Album J. Balon* (Namur 1968) 215–34.
- Lousse, E., 'De Staten van Brabant tot het einde van de XVde eeuw. Contributie en convocatie van de prelaten', in: G. Asaert, W. Buntinx, and J. A. van Houtte, eds, *Recht en instellingen in de oude Nederlanden tijdens de Middeleeuwen en de Nieuwe Tijd. Liber amicorum Jan Buntinx*. Symbolae 10 (Leuven 1981) 211–25.
- Lousse, E., *La société d'ancien régime. Organisation et représentation corporatives*. Universiteit van Leuven. Publicaties op het gebied der geschiedenis en der philologie 3rd series 16 (Leuven 1943).
- Lousse, E., 'Les deux chartes romanes brabançonnées du 12 juillet 1314', *BCRH* 96 (1932) 1–47.
- Luykx, T., *De grafelijke financiële bestuursinstellingen en het grafelijk patrimonium in Vlaanderen tijdens de regering van Margarethe van Constantinopel (1244–1278)*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone kunsten van Vlaanderen. Klasse der letteren 39 (Brussels 1961).
- Lyon, B. and A. Verhulst, *Medieval finance. A comparison of financial institutions in Northwestern Europe* (Bruges 1967).
- Maddens, N., *De beden in het graafschap Vlaanderen tijdens de regering van Keiser Karel V (1515–1550)*. Standen en Landen 72 (Heule 1978).
- Maes, L. T., *Het Parlement en de Grote Raad te Mechelen* (Antwerp; Rotterdam 1949).
- Mandrot, B. de, 'Jean de Bourgogne, duc de Brabant, comte de Nevers et le procès de sa succession (1415–1425)', *Revue historique* 93 (1907) 1–45.
- Mann, M., *The sources of social power*. I, *A history of power from the beginning to A.D. 1760* (Cambridge 1987).
- Mansi, G. D., *Sacrorum conciliorum nova et amplissima collectio* 30 (Rome 1904).
- Marche, O. de la, *Mémoires*, ed. H. Beaune (4 vols, Paris 1883).
- Margue, M. and M. Pauli, 'Luxemburg', in: W. Paravicini, ed., *Höfe und Residenzen im spätmittelalterlichen Reich. Ein dynastisch-topographisches Handbuch*. Residenzenforschung 15.1 (Göttingen 2003) 351–3.
- Mariage, F., 'L'hôtel comtal et les officiers héréditaires', in: B. Desmale, J.-M. Cauchies, eds, *Les institutions publiques régionales et locales en Hainaut et Tournai/Tournais sous l'Ancien Régime*. Archives générales du Royaume et archives de l'État dans les provinces. Miscellanea archivistica Studia 119 (Brussels 2009) 79–91.
- Maris, A. J., 'De Raadkamers of Hoven van Karel den Stoute in Gelre en Zutphen, 1473–1477', *BMGelre* 56 (1957) 45–123.
- Marsilje, J. W., *Het financiële beleid van Leiden in de laat-Beierse en Bourgondische periode, ±1390–1477* (Hilversum 1985).
- Marsilje, J. W., 'Het Haarlemse klerkambt in de 15e eeuw', in: D. E. H. de Boer and J. W. Marsilje, eds, *De Nederlanden in de late Middeleeuwen* (Utrecht 1987) 182–98.
- Marsilje, J. W., 'Les modes d'imposition en Hollande (1477–1515)', in: J.-M. Cauchies, ed., *Finances et financiers des princes et des villes à l'époque bourguignonne*. Burgundica 8 (Turnhout 4) 101–12.
- Martens, M., *L'administration du domaine ducal en Brabant au moyen âge (1250–1406)*. Verhandelingen Koninklijke Belgische Academie, klasse der Letteren 48 (Brussels 1954).
- Martens, M., *Lodewijk van Gruuthuse: mecenas en Europees diplomaat, ca. 1427–1492* (Bruges 1992).

- Meder, T., *Sprookspreker in Holland. Leven en werk van Willem van Hildegarsberch (ca. 1400)*. Nederlandse literatuur en cultuur in de Middeleeuwen (Amsterdam 1991).
- Meilink, P. A., 'Holland en het conflict tusschen Philips de Goede en zijn zoon van 1463/1464', *BVGO* 7th series 5, 6 (1934) 129–52, 49–66.
- Meisen, A., *Brabant, Limburg und die Übermaasländer. Eine Studie zur territorialen Finanzgeschichte bis zum Ende des 14. Jahrhunderts* (Aachen 2003).
- Melville, G., 'Vorfahren und Vorgänger. Spätmittelalterliche Genealogien als dynastische Legitimation zur Herrschaft', in: P. J. Schuler, ed., *Die Familie als sozialer und historischer Verband. Untersuchungen zum Spätmittelalter und zur frühen Neuzeit* (Sigmaringen 1987) 203–309.
- Merlevede, J., *De Ieperse stadsfinanciën (1280–1330): bijdrage tot de studie van een Vlaamse stad* (Brussels 1980).
- Mersiowsky, M., *Die Anfänge territorialer Rechnungslegung im deutschen Nordwesten: spätmittelalterliche Rechnungen, Verwaltungspraxis, Hof und Territorium*. Residenzforschung 9 (Stuttgart 2000).
- Mertens, F. H. and Torfs, K. L., *Geschiedenis van Antwerpen sedert de stichting der stad tot onze tyden* (Antwerp 1845).
- Mieck, I., 'Deutschlands Westgrenze', in: A. Demandt, ed., *Deutschlands Grenzen in der Geschichte* (Munich 1991) 197–239.
- Mieris, F. van, *Groot charterboek der graaven van Holland, van Zeeland en heeren van Vriesland* (4 vols, Leiden 1753–6).
- Mollat, M., *Comptes généraux de l'état Bourguignon entre 1416 et 1420*. Recueil des historiens de la France. Documents financiers 5 (Paris 1965).
- Mollat, M., 'Recherches sur les finances des ducs Valois de Bourgogne', *Revue historique* 219 (1958) 285–321.
- Mollat, M., 'Une enquête à poursuivre: la situation financière de Charles le Téméraire dans les derniers temps de son règne', in: *Cinq-centième anniversaire de la bataille de Nancy (1477)*. Annales de l'Est. Mémoires 62 (Nancy 1979) 175–85.
- Monballyu, J., 'De gerechtelijke bevoegdheid van de Raad van Vlaanderen in vergelijking met de andere "Wetten" (1515–1621)', in: B. C. M. Jacobs and P. L. Nève, eds, *Hoven en Banken in Noord en Zuid*. Brabantse rechtshistorische reeks 7 (Assen 1994) 1–26.
- Monballyu, J., 'Het beroep tegen de vonnissen van de lagere rechtbanken bij de Raad van Vlaanderen (1450–1550)', in: *Derde colloquium van Nederlandse en Belgische rechtshistorici* (Amsterdam 1979) 1–40.
- Monballyu, J., '“Van appellati ende reformati”: de ontwikkeling van het hoger beroep bij de Auditie, de “Camere van den Rade” en de Raad van Vlaanderen (ca. 1370–ca. 1550), Bijdrage tot de ontstaansgeschiedenis van het hoger beroep in de Nederlanden', *TRG* (1993) 237–76.
- Monier, R., *Les institutions centrales du comté de Flandre du XI^e siècle à 1384* (Paris 1943).
- Monier, R., *Les institutions financières du comté de Flandre du XI^e siècle à 1384* (Paris 1948).
- Monté ver Loren, J. P. de, *De historische ontwikkeling van de begrippen bezit en eigendom in de landsheerlijke rechtspraak over onroerend goed in Holland* (Utrecht 1929).
- Moraw, P., *Von offener Verfassung zu gestalteter Verdichtung. Das Reich im späten Mittelalter*. 1250 bis 1490. Propyläen Geschichte Deutschlands 3 (Berlin 1985).
- Moraw, P., 'Wesenszüge der Regierung und Verwaltung des deutschen Königs im Reich (ca. 1350–1450)', in: W. Paravicini and K. F. Werner, eds, *Histoire comparée de l'administration (IV^e–XVIII^e siècle)*. Beihefte der Francia 9 (Munich 1980) 149–67.

- Moreau d'Andoye, A. de, 'L'organisation judiciaire du comté de Namur', *ASAN* 54 (1967) 167–229, 335–86.
- Moreau, É. de, 'La législation des ducs de Bourgogne sur l'accroissement des biens ecclésiastiques, étudiée spécialement en Belgique', *Revue d'histoire ecclésiastique* 41 (1946) 44–65.
- Morgat-Bonnet, M., 'Brève histoire des origines médiévales du Greffe du Parlement de Paris', in: O. Poncet and I. Storez-Brabncourt, eds, *Une histoire de la mémoire judiciaire. Études et rencontres de l'Écoles des chartes* 29 (Paris 2009) 133–49.
- Moureaux-van Neck, A., 'Un aspect de l'histoire financière de Brabant: les aides accordées aux ducs entre 1356 et 1430', *Annales de la Société d'archéologie de Bruxelles* 51 (1966) 65–94.
- Munro, J. H., 'An economic aspect or the collapse of the Anglo-Burgundian alliance, 1428–1442', *English historical review* 85 (1970) 225–44.
- Munro, J. H., 'Deflation and the petty coinage problem in the late-medieval economy: the case of Flanders, 1334–1484', *Explorations in economic history* (1988) 387–423.
- Murray, J. M., 'Of nodes and networks: Bruges and the infrastructure of trade in fourteenth-century Europe', in: P. Stabel, B. Blondé, and A. Greve, eds, *International trade in the Low Countries (14th–16th centuries): merchants, organization, infrastructure. Studies in urban social, economic and political history of the medieval and early modern Low Countries* 10 (Leuven 2000) 1–14.
- Naegle, G., 'Divergences et convergences. Identités urbaines en France et en Allemagne à la fin du Moyen Âge', in: G. Naegle, ed., *Mundos medievales, espacios, sociedades y poder. Homenaje al J. A. García de Cortázar y R. de Aguirre* (Santander 2012) 1663–76.
- Naegle, G., 'Diversité linguistique, identité et mythe de l'Empire à la fin du Moyen âge', *Revue française d'histoire des idées politiques* 36 (2012) 253–79.
- Naegle, G., 'Einleitung', in: *Frieden schaffen. Sich verteidigen im Spätmittelalter*. Pariser historische Studien 98 (Munich 2012) 9–48.
- Nelissen, M., J. Roegiers, and E. van Mingroot, *De stichtingsbul van de Leuvense universiteit 1425–1914* (Leuven 2000).
- Nève, P. L., *Het Rijkskamergerecht en de Nederlanden. Competentie—territoire—archieven* (Assen 1972).
- Nicholas, D., *Medieval Flanders* (London; New York 1992).
- Nicholas, D., *Town and countryside: social, economic, and political tensions in fourteenth-century Flanders*. Rijksuniversiteit te Gent. Werken uitgegeven door de Faculteit van de letteren en wijsbegeerte 152 (Bruges 1971).
- Nicholas, D., *Urban Europe 1100–1700* (Houndmills 2003).
- Niermeyer, J. F., 'Het Sticht Utrecht, 1433–1477, Gelre en de Friese landen, 1423–1477', in: *Algemene geschiedenis der Nederlanden* 3 (Utrecht; Antwerp 1951) 344–73.
- Nierop, H. van, *Van ridders tot regenten. De Hollandse adel in de zestiende en de eerste helft van de zeventiende eeuw* (Leiden 1984).
- Nieuwenhuysen, A. van, 'Documents relatifs à la gestion des finances de Philippe le Hardi, duc de Bourgogne et comte de Flandre (1384–1404)', *BCRH* 146 (1980) 69–312.
- Nieuwenhuysen, A. van, *Les finances du duc de Bourgogne Philippe le Hardi (1384–1404). Économie et politique*. Université Libre de Bruxelles. Faculté de Philosophie et lettres 80 (Brussels 1984).
- Nieuwenhuysen, A. van, *Les finances du duc de Bourgogne Philippe le Hardi (1384–1404). Le montant des ressources*. Académie royale de Belgique. Mémoires de la classe des lettres. Collection in 8° 2nd series 68 (Brussels 1990).
- Nijhoff, I. A., *Gedenkwaardigheden uit de geschiedenis van Gelderland* (Arnhem 1830).

- Nijsten, G. J. M., *Het hof van Gelre: cultuur ten tijde van de hertogen uit het Gulikse en Egmondse huis (1371–1473)* (Kampen 1992).
- Nijsten, G. J. M., *In the shadow of Burgundy. The court of Guelders in the late Middle Ages* (Cambridge 2004).
- Nikolay, W., *Die Ausbildung der ständischen Verfassung in Geldern und Brabant während des 13. und 14. Jahrhunderts. Ein Beitrag zur Entstehung und Konsolidierung mittelalterlicher Territorien im Nordwesten des alten Deutschen Reiches*. Rheinisches Archiv 118 (Bonn 1985).
- Nip, R. I. A., 'Bengaert Say, een 15de-eeuws ambtenaar', *Holland* 15 (1983) 65–75.
- Noël, R., *Quatre siècles de vie rurale entre la Semois et la Chiens (1050–1470)* Connaissance des hommes et des choses (Leuven 1977).
- Nogent, G. de, *Autobiographie*, ed. E.-R. Labande. Les classiques de l'histoire de France au moyen age 34 (Paris 1981).
- Nolet, W. and P. C. Boeren, *Kerkelijke instellingen in de Middeleeuwen* (Amsterdam 1951).
- Noordzij, G. A., 'Against Burgundy. The appeal of Germany in the duchy of Guelders', in: R. Stein and J. Pollmann, eds, *The dynamics of identity in the Low Countries* (Leiden 2009) 111–30.
- Noordzij, G. A., *Gelre. Dynastie, land en identiteit in de late middeleeuwen*. Werken Gelre 59 (Hilversum 2009).
- Nowé, H., *Les baillis comteaux de Flandre. Des origines à la fin du XIV^e siècle*. Mémoires Classe des lettres et sciences morales, 2nd series 25 (Brussels 1929).
- Nuytens, M. and A. Zoete, 'De Vier Leden en de Staten van Vlaanderen (1127–1755)', in: *De gewestelijke instellingen van Vlaanderen tot 1794*. Algemeen Rijksarchief. Studia 72 (Brussels 1997) 67–78.
- Oosterbosch, M., 'Vroege procedureregelingen voor de Raad van Brabant (15de eeuw)', in: F. Vanhemelryck, ed., *Recht ende justicie. Handelingen van het XIIIde Belgisch-Nederlands rechtshistorisch congres* (Brussels 1997) 115–37.
- Oosterbosch, M. and D. van den Auweele, *De ordonnantie van 20 juni 1474 voor de Raad van Brabant*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 49 (Brussels 1993).
- Oostrom, F. P. van, *Wereld in woorden. Geschiedenis van de Nederlandse literatuur, 1300–1400* (Amsterdam 2013).
- Oostrom, F. P. van, *Het woord van eer. Literatuur aan het Hollandse hof omstreeks 1400* (Amsterdam 1987).
- Opsommer, R., 'Omme dat leengoed es thoohste dinc van der weerelt'. *Het leenrecht in Vlaanderen in de 14de en 15de eeuw*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 60 (Brussels 1995).
- Oversteegen, T., 'Hoeken aan de macht tijdens stadhouder Willem van Lalain', in: J. W. Marsilje, ed., *Bloedwraak, partijstrijd en pacificatie in laat-middeleeuws Holland* (Hilversum 1990).
- Papin, K., 'Guilbert de Ruple. Biografie van een topman uit de Bourgondische financiële administratie', *Handelingen der Maatschappij voor Geschiedenis en Oudheidkunde te Gent, Nieuwe reeks* (1999) 99–122.
- Paquay, I., *Gouverner la ville au bas Moyen Âge: les élites dirigeantes de la ville de Namur au XV^e siècle*. Studies in European urban history 16 (Turnhout 2008).
- Paravicini, W., 'Administrateurs professionnels et princes dilettantes. Remarques sur un problème de sociologie administrative à la fin du moyen âge', in: K. Krüger, H. Kruse, and A. Ranft, eds, *Menschen am Hof der Herzöge von Burgund. Gesammelte Aufsätze* (Stuttgart 2002) 357–65.

- Paravicini, W., 'Die Residenzen der Herzöge von Burgund, 1363–1477', in: K. Krüger, H. Kruse, and A. Ranft, eds, *Menschen am Hof der Herzöge von Burgund. Gesammelte Aufsätze* (Stuttgart 2002) 445–506.
- Paravicini, W., 'Die zwölf "magnificences" Karls des Kühnen', in: G. Althoff, ed., *Formen und Funktionen öffentlicher Kommunikation im Mittelalter*. Vorträge und Forschungen, 51 (Stuttgart 2001) 319–95.
- Paravicini, W., 'Expansion et intégration. La noblesse des Pays-Bas à la cour de Philippe le Bon', in: K. Krüger, H. Kruse, and A. Ranft, eds, *Menschen am Hof der Herzöge von Burgund. Gesammelte Aufsätze* (Stuttgart 2002) 427–43.
- Paravicini, W., *Guy de Brimeu. Der burgundische Staat und seine adlige Führungsschicht unter Karl dem Kühnen*. Pariser historische Studien 12 (Bonn 1975).
- Paravicini, W., *Karl der Kühne. Das Ende des Hauses Burgund*. Persönlichkeit und Geschichte 94/95 (Göttingen; Zürich; Frankfurt 1976).
- Paravicini, W., 'Le parchemin de Montpellier, une image troublante du règne de Charles le Téméraire', *Journal des savants* (2010) 307–10.
- Paravicini, W., 'Mon souverain seigneur', in: P. Hoppenbrouwers, A. Janse, and R. Stein, eds, *Power and persuasion. Essays on the art of state building in honour of W. P. Blockmans* (Turnhout 2010) 27–48.
- Paravicini, W., '"Ordonnances de l'hôtel" und "Escroes de gaiges". Wege zu einer prosopographischen Erforschung des burgundischen Staats im fünfzehnten Jahrhundert', in: K. Krüger, H. Kruse, and A. Ranft, eds, *Menschen am Hof der Herzöge von Burgund* (Stuttgart 2002) 41–63.
- Paravicini, W., 'Ordre et règle. Charles le Téméraire en ses ordonnances de l'hôtel', in: K. Krüger, H. Kruse, and A. Ranft, eds, *Menschen am Hof der Herzöge von Burgund. Gesammelte Aufsätze* (Stuttgart 2002) 671–713.
- Paravicini, W., 'Raimondo de Marliano. Ein Schicksal des Quattrocento zwischen Italien und Burgund', *RBPH* 89 (2011) 1075–164.
- Paravicini, W., 'The court of the dukes of Burgundy: a model for Europe?' in: K. Krüger, H. Kruse, and A. Ranft, eds, *Menschen am Hof der Herzöge von Burgund* (Stuttgart 2002) 507–34.
- Paravicini, W., '"Verstandige waanzin". Karel de Stoute, hertog van Bourgondië (1433–1477)', in: S. Marti, T.-H. Borchert, and G. Keck, eds, *Karel de Stoute (1433–1477). Pracht en praal in Bourgondië* (Brussels 2009) 39–49.
- Paresys, I., 'Soeverein baljuwschap Rijsel-Douai-Orchies (14de eeuw–1795)', in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 505–12.
- Parker, G., *The military revolution. Military innovation and the rise of the West 1500–1800* (Cambridge 1996).
- Parker, G. and H. de Schepper, 'The decision-making process in the government of the Catholic Netherlands under "the Archdukes", 1596–1621', in: G. Parker, ed., *Spain and the Netherlands, 1559–1659. Ten studies* (London 1979) 164–76.
- Pas, W. van de, 'Rekenkamer van Holland (1477–1585)', in: E. Aerts, ed., *De centrale overheidsinstellingen van de Habsburgse Nederlanden*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1994) 633–46.
- Pauw, N. de, *Bouc van der Audiencie. Acten en sentencien van den Raad van Vlaanderen*. Koninklijke Vlaamsche academie voor taal en letterkunde, 3rd series 17 (2 vols, Ghent 1901–3).

- Pauw, N. de, 'Un texte inédit de la Chronique de Flandre concernant Artevelde', *BCRH* 82 (1913) 295–367.
- Pauw, N. de, ed., *Ypre jeghen Poperinghe angaende den verbonden. Gedingstukken der XIVe eeuw nopens het laken*. Koninklijke Vlaamsche academie voor taal- en letterkunde. Middelnederlandsche letterkunde 15 (Ghent 1899).
- Paviot, J., 'Ordonnances de l'hôtel et cérémonial de cour aux XVe et XVIe siècles, d'après l'exemple bourguignon', in: *Höfe und Hofordnungen, 1200–1600. 5. Symposium der Residenzen-Kommission der Akademie der Wissenschaften in Göttingen*. Residenzforschung 10 (Sigmaringen 1999) 169–74.
- Péporté, P., *The 1453 conflict in Luxembourg. A local rebellion or a struggle between imperial princes?* (Edinburgh 2000).
- Peteghem, P. P. J. L. van, *De Raad van Vlaanderen en staatsvorming onder Karel V (1515–1555). Een publiekrechtelijk onderzoek naar centralisatiestreven in de XVII Provinciën*. Rechtshistorische reeks van het Gerard Noodt instituut 15 (Nijmegen 1990).
- Peteghem, P. P. J. L. van, 'De verordening van 1483 voor de Raad van Vlaanderen herzien', in: *Recht en instellingen in de oude Nederlanden tijdens de Middeleeuwen en de Nieuwe Tijd. Liber amicorum Jan Buntinx*. Symbolae 10 (Leuven 1981) 341–52.
- Peteghem, P. P. J. L. van, 'Gouverneur van Vlaanderen', in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 95–114.
- Peteghem, P. P. J. L. van, 'Raad van Vlaanderen (1386–1795)', in: G. Asaert, W. Buntinx, and J. A. van Houtte, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 131–56.
- Petit, R., 'Elisabeth von Görnitz', *LMA* III (1986) 1835–6.
- Petit, R., 'Gouvernés et gouvernants dans le duché de Luxembourg et le comté de Chiny', *Standen en Landen* 33 (1965) 89–108.
- Petit, R., *Inventaire des archives des officiers comptables dans le duché de Luxembourg et le comté de Chiny (1408–1795)* (Brussels 1980).
- Petit, R., 'Le Luxembourg et le recul du pouvoir central après la mort de Charles le Téméraire', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden*. Standen en Landen 80 (Kortrijk-Heule 1985) 373–448.
- Petit, R., 'Les États des duché de Luxembourg et comté de Chiny', *Standen en Landen* 33 (1965) 89–108.
- Petit, R., 'Les villes du prince dans le Luxembourg et la réforme de la fiscalité sous Charles le Téméraire', *Publications CEEB* 33 (1993) 131–41.
- Petit, R. and J.-P. Weber, *Les aides et subsides dans le Luxembourg de 1360 à 1565. Contribution à l'étude du développement de la fiscalité dans une principauté territoriale*. Publications de la Commission royale d'histoire, series in 4° A78 (3 vols, Brussels 2013).
- Piérard, C., *Les douairies de Jeanne de Brabant en Hainaut*. Standen en Landen 12 (Leuven 1956).
- Piérard, C., 'Les États de Hainaut', *Standen en Landen* 33 (1965) 61–77.
- Piérard, C., 'Les États de Hainaut (moyen âge et temps modernes)', in: B. Desmalle and J.-M. Cauchies, eds, *Les institutions publiques régionales et locales en Hainaut et Tournai/ Tournais sous l'Ancien Régime*. Archives générales du Royaume et archives de l'État dans les provinces. Miscellanea archivistica Studia 119 (Brussels 2009) 93–106.
- Pinchart, A., *Histoire du Conseil souverain de Hainaut*. Mémoires couronnés de l'Académie royale, Collection in 8°, 7 (Brussels 1858).

- Piot, C., 'Alliance des communes dans le duché de Brabant', *Messenger des sciences historiques de Belgique* (1841) 461–7.
- Piot, C., 'Deux nouvelles enquêtes faites en 1363 et 1389 sur la conduite des fonctionnaires au duché de Brabant', *BCRH* 4th series, 11 (1883) 179–92.
- Piot, C., 'Une enquête sur la conduite des fonctionnaires sous le règne de Jean III, duc de Brabant', *BCRH* (1881) 49–70.
- Pirenne, H., *Histoire de Belgique des origines à nos jours* (4 vols, Brussels 1948).
- Pirenne, H., 'Le rôle constitutionnel des États-Généraux des Pays-Bas en 1477 et en 1488', in: *Mélanges Paul Fredericq* (Brussels 1904) 267–71.
- Pirenne, H., 'Robert d'Aire', in: *BNB* 19, 408–10.
- Pirenne, H., 'The formation and constitution of the Burgundian state (fifteenth and sixteenth centuries)', *American historical review* 14 (1909), 477–502.
- Plancher, U., *Histoire générale et particulière de Bourgogne* (Dijon 1739).
- Pocquet du Haut-Jussé, B. A., 'Chefs des finances duciales de Bourgogne sous Philippe le Hardi et Jean sans Peur (1363–1419)', *MSDB* 4 (1937) 5–77.
- Pocquet du Haut-Jussé, B. A., 'Les aides en Bourgogne sous Philippe le Hardi et Jean sans Peur (1363–1419)', *Revue historique de droit français et étranger* 18 (1939) 388–422.
- Pocquet du Haut-Jussé, B. A., 'Les dons du roi aux ducs de Bourgogne Philippe le Hardi et Jean sans Peur', *MSDB* 6 (1939) 113–44.
- Pocquet du Haut-Jussé, B. A., 'Les dons du roi. II. Les dons extraordinaires', *MSDB* 7 (1940) 95–129.
- Post, R. R., *Kerkgeschiedenis van Nederland in de middeleeuwen* (Utrecht 1957).
- Poullet, E., *Histoire politique nationale: origines, développements et transformations des institutions dans les anciens Pays-Bas* (2 vols, Leuven 1882–92).
- Poullet, E., 'Les gouverneurs de province dans les anciens Pays Bas catholiques', *Bulletin de l'Académie royale de Belgique* 35 362–437.
- Poullet, E., *Mémoire sur l'ancienne constitution Brabançonne*. Mémoires couronnés 31 (Brussels 1863).
- Prevenier, W., 'De beden in het graafschap Vlaanderen onder Filips de Stoute (1384–1404)', *RBPH* 38 (1960) 330–65.
- Prevenier, W., *De Leden en de Staten van Vlaanderen (1384–1405)*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone kunsten van Vlaanderen. Klasse der letteren 43 (Brussels 1961).
- Prevenier, W., 'De verhouding van de clerus tot de locale en regionale overheid in het graafschap Vlaanderen in de late Middeleeuwen', in: L. E. Halkin and E. Persoons, eds, *Bronnen voor de religieuze geschiedenis van België. Middeleeuwen en moderne tijden*. Bibliothèque de la Revue d'histoire ecclésiastique 47 (Leuven 1968) 9–45.
- Prevenier, W., 'Financiën en boekhouding in de Bourgondische periode. Nieuwe bronnen en resultaten', *TVG* 82 (1969) 469–81.
- Prevenier, W., *Handelingen van de Leden en van de Staten van Vlaanderen (1384–1405)*. Excerpten uit de rekeningen van de Vlaamse steden, kasselrijen en vorstelijke ambtenaren (Brussels 1959).
- Prevenier, W., 'Les États de Flandre depuis les origines jusqu'en 1790', *Standen en Landen* 33 (1965) 11–59.
- Prevenier, W., 'Utilitas communis in the Low Countries (thirteenth–fifteenth centuries): from social mobilisation to legitimation of power', in: E. Lecuppre-Desjardin and A.-L. van Bruaene, eds, *De bono communi. The discourse and practice of the common good*

- in the European city (13th–16th c.) *Discours et pratique du Bien Commun dans les villes d'Europe (XIIIe au XVIe siècle)*. Studies in European urban history 22 (Turnhout 2010) 205–16.
- Prevenier, W. and P. Arnade, *Onze gratie en genade. Misdaad en vergiffenis in de Bourgondische Nederlanden* (Antwerp 2015).
- Prevenier, W. and J. G. Smit, *Bronnen voor de geschiedenis der dagvaarten van de Staten en steden van Holland voor 1544*. I. 1276–1433. RGP 201, 202 (2 vols, The Hague 1987).
- Put, E., 'Het archief van de Raad van Brabant. Sluipwegen en snelwegen voor lokaal historisch onderzoek', in: E. Aerts, ed., *De hertog en de Staten, de kanselier en de Raad, de Rekenkamer, het Leenhof, de Algemene Ontvangerij, de drossaard en de woudmeester, het notariaat en het Landgraafschap Brabant. Acht bijdragen tot de studie van de instellingen in het hertogdon Brabant in de middeleeuwen en de nieuwe tijd*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 128 (Brussels 2011) 27–41.
- Put, E., *Inventaris van het archief van de Raad van Brabant*. I *Archief van de griffies* Algemeen Rijksarchief, Inventarissen 256 (Brussels 1995).
- Put, E., 'Kanselier van Brabant (begin 15de eeuw–1795)', in: R. van Uytven, ed., *De gewestelijke en lokale overheidsinstellingen in Brabant en Mechelen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 82 (Brussels 2000) 137–46.
- Quicke, F., 'Documents concernant la politique des ducs de Brabant et de Bourgogne dans le duché de Limbourg et les terres d'Outre-Meuse pendant la seconde moitié du XIVe siècle (1364–1396)', *BCRH* 96 (1929) 67–195.
- Quicke, F., 'Les circonstances de la réclusion de la mort de Marguerite de Brabant, comtesse de Flandre', in: *Miscellanea historica in honorem Leonis van der Essen* (Brussels; Paris 1947) 391–407.
- Quicke, F., *Les Pay-Bas a la veille de l'unification Bourguignonne (1356–1384). Contribution a l'histoire politique et diplomatique de l'Europe occidentale dans la seconde moitié du XIVe siècle* (Brussels 1947).
- Rapp, F., 'Universités et principautés: les états Bourguignons', *Publications CEEB* 28 (1988) 115–31.
- Rauzier, J., *Finances et gestion d'une principauté au XIVe siècle. Le duché de Bourgogne de Philippe le Hardi (1364–1384)* (Paris 1996).
- Rauzier, J., *La Bourgogne au XIVe siècle: fiscalité, population, économie* (Dijon 2009).
- Reichert, W., *Landesherrschaft zwischen Reich und Frankreich: Verfassung, Wirtschaft und Territorialpolitik in der Grafschaft Luxemburg von der Mitte des 13. bis zur Mitte des 14. Jahrhunderts*. Trierer historische Forschungen 24 (Trier 1993).
- Reichert, W., 'Zwischen Land und Herrschaft: Rittergericht und Ritterrichter der Grafschaft Luxemburg im 13. und 14. Jahrhundert', *Jahrbuch für westdeutsche Landesgeschichte* 20 (1994) 114–57.
- Reiffenberg, F. A. F. T. de, *Monuments pour servir a l'histoire de Namur, de Hainaut et de Luxembourg*, ed. L. Devillers (7 vols, Brussels 1844).
- Reno, P., *La Chancellerie de Brabant sous Philippe le Bon (1430–1467). Histoire et organisation. Rédaction et expédition des actes* (Brussels 1955).
- Rey, M., 'Marguerite de Flandres: une étape dans la pénétration française en Franche-Comté', in: *Provinces et états dans la France de l'est: le rattachement de la Franche-Comté à la France: espaces régionaux et espaces nationaux*. Cahier d'études comtoises 24 (Paris 1979) 247–95.
- Reynolds, S., *Fiefs and vassals: the medieval evidence reinterpreted* (New York 1994).

- Rhee, C. H. van, 'Het Openbaar Ministerie in historisch perspectief: "Amicus Curiae" of niet?' in: P. van Orshoven and M. Storme, eds, *Amice curiae, qua vadis? Het Openbaar Ministerie in privaatrechtelijke, administratieve en sociale zaken* (Brussels 2002) 1–17.
- Riandey, P., *L'organisation financière de la Bourgogne sous Philippe le Hardi et chartes de l'abbaye de Saint-Étienne de Dijon de 1280 à 1285* (Dijon 1908).
- Richard, J., ed., *Histoire de la Bourgogne*. Univers de la France et des pays francophones 42 (Toulouse 1988).
- Richard, J., 'La Chancellerie des ducs de Bourgogne de la fin de XII^e au début du XV^e siècle', in: *Landesherrliche Kanzleien im Spätmittelalter*. Münchener Beiträge zur Mediävistik 35 (Munich 1984) 381–413.
- Richard, J., 'Le destin des institutions bourguignonnes avant et après Charles le Téméraire', in: *Cinq-centième anniversaire de la bataille de Nancy (1477)*. Annales de l'Est. Mémoires 62 (Nancy 1979) 291–304.
- Richard, J., 'Le gouverneur de Bourgogne au temps de ducs Valois', *MSDB* 19 (1957) 101–12.
- Richard, J., *Les ducs de Bourgogne et la formation du duché du XI^e au XIV^e siècle*. Publications de l'Université de Dijon 12 (Paris 1954).
- Richard, J., 'Les États de Bourgogne', *Recueils de la Société Jean Bodin pour l'histoire comparative des institutions* (1966) 299–324.
- Richard, J., 'Les institutions duciales dans le duché de Bourgogne', in: F. Lot and R. Fawtier, eds, *Histoire des institutions françaises au moyen âge I Institutions Seigneuriales* (Paris 1957) 209–47.
- Richard, J., 'Les organes du pouvoir ducal et les sujets du duc dans les pays de Bourgogne', *Publications CEEB* 28 (1988) 11–20.
- Richter, F., *Der luxemburgische Erbfolgestreit in den Jahren 1438–1443*. Westdeutsche Zeitschrift für Geschichte und Kunst. Ergänzungsheft 5 (Trier 1889).
- Ridder, J. H. A., *Gerechtigheidsstaferelen voor schepenhuisen in de zuidelijke Nederlanden in de 14^{de}, 15^{de} en 16^{de} eeuw*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone Kunsten van België. Klasse der schone kunsten 45 (Brussels 1989).
- Ridder-Symoens, H. de, 'Jan van Rompaey, Max Weber en de Bourgondische ambtenaren', in: B. C. M. Jacobs and E. C. Coppens, eds, *Een rijk gerecht. Opstellen aangeboden aan P. L. Nève* (Nijmegen 1998) 323–39.
- Ridder-Symoens, H. de, 'Milieu social, études universitaires et carrière des conseillers au Conseil de Brabant (1430–1600)', in: G. Asaert, W. Buntinx, and J. A. van Houtte, eds, *Recht en instellingen in de oude Nederlanden tijdens de Middeleeuwen en de Nieuwe Tijd. Liber amicorum Jan Buntinx*. Symbolae 10 (Leuven 1981) 257–301.
- Riemsdijk, T. van, *De opdracht van het ruwaardschap van Holland en Zeeland aan Philips van Boergondië*. Verhandelingen der Koninklijke akademie van wetenschappen. Afdeling letterkunde NR 1 (Amsterdam 1906).
- Riemsdijk, T. van, *De tresorie en kanselarij van de graven van Holland en Zeeland uit het Henegouwsche en Beyersche huis* (The Hague 1908).
- Rigaudière, A., 'Donner pour le bien commun et contribuer pour les biens communs dans les villes du Midi français du XIII^e au XV^e siècle', in: E. Lecuppre-Desjardin and A.-L. van Bruaene, eds, *De bono communi. The discourse and practice of the common good in the European city (13th–16th c.) Discours et pratique du Bien Commun dans les villes d'Europe (XIII^e au XVI^e siècle)*. Studies in European urban history 22 (Turnhout 2010) 11–53.
- Rigault, J., 'Les débuts de la fiscalité royale en Bourgogne de la mort de Charles le Téméraire à l'avènement de Henri II (1477–1547)', in: *Études sur la fiscalité au moyen âge* (Paris 1979) 57–60.

- Roetert Frederikse Jacobus, A., ed., *Dat Kaetspel ghemoralizeert*. Bibliotheek van de Middelnederlandsche letterkunde 24 (Leiden 1916).
- Roggé, P., 'Over twee grafelijke bestuursraden uit de eerste helft der XIVe eeuw "Audientie" en "Rekenkamer"', *RBPH* 25 (1947) 619–24.
- Rokkan, S., 'Dimensions of state formation and nation-building: a possible paradigm for research on variation within Europe', in: C. Tilly, ed., *The formation of national states in Western Europe* (Princeton, NJ 1975) 562–601.
- Rompaey, J. van, *De Grote Raad van de hertogen van Boergondië en het Parlement van Mechelen*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone kunsten van Vlaanderen. Klasse der letteren 73 (Brussels 1973).
- Rompaey, J. van, *Het grafelijk baljuwsambt in Vlaanderen tijdens de Boergondische periode*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone kunsten van Vlaanderen. Klasse der letteren 62 (Brussels 1967).
- Rompaey, J. van, 'Hofraad en Grote Raad in de hofordonnantie van 1 januari 1469', in: G. Asaert, W. Buntinx, and J. A. van Houtte, eds, *Recht en instellingen in de oude Nederlanden tijdens de Middeleeuwen en de Nieuwe Tijd. Liber amicorum Jan Buntinx*. Symbolae 10 (Leuven 1981) 303–22.
- Rosenfeld, P., 'The provincial governors from the minority of Charles V to the Revolt', *Standen en Landen* 17 (1959) 1–63.
- Santamaria, J.-B., 'Conseiller le prince: le rôle de la Chambre des Comptes de Lille dans les processus de décision à la cour de Bourgogne (1386–1419)', in: D. le Page, ed., *Contrôler les finances sous l'Ancien Régime. Regards d'aujourd'hui sur les Chambres des Comptes* (Paris 2011) 185–235.
- Santamaria, J.-B., *La Chambre des Comptes de Lille de 1386 à 1419. Essor, organisation et fonctionnement d'une institution princière*. Burgundica 20 (Turnhout 2012).
- Schaik, R. van, *Belasting, bevolking en bezit in Gelre en Zutphen (1350–1550)*. Middeleeuwse studies en bronnen 6 (Hilversum 1987).
- Schepper, H. de, 'Beleid en bestuur inzake de hoge overheidsfinanciën in het Bourgondisch-Habsburgse Nederland', in: J. T. de Smidt, ed., *Van tresorier tot thesaurier-generaal. Zes eeuwen financieel beleid in handen van een hoge Nederlandse ambtsdarager* (Hilversum 1996) 17–52.
- Schepper, H. de, 'De burgerlijke overheden en hun permanente kaders 1480–1579', in: *NAGN* 5 (Haarlem 1980) 312–49.
- Schepper, H. de, 'The Burgundian-Habsburg Netherlands', in: T. A. Brady, H. A. Oberman, and J. D. Tracy, eds, *Handbook of European history, 1400–1600. Late middle ages, renaissance and reformation* (Leiden 1994) 500–33.
- Schepper, H. de and J.-M. Cauchies, 'Justicie, gracie en wetgeving, juridische instrumenten van de landsheerlijke macht in de Nederlanden, 1200–1600', in: H. Soly and R. Vermeir, eds, *Beleid en bestuur in de oude Nederlanden. Liber amicorum M. Baelde* (Ghent 1993) 127–81.
- Schnerb, B., *Jean sans Peur. Le prince meurtrier* (Paris 2005).
- Schnerb, B., 'L'activité de la Chambre des Comptes de Dijon entre 1386 et 1404 d'après le premier registre de ses mémoriaux', in: P. Contamine and O. Mattéoni, eds, *La France des principautés. Les Chambres des Comptes XIVe et XVe siècles* (Paris 1996) 55–64.
- Schnerb, B., *L'État bourguignon 1363–1477* (Paris 1999).
- Schoos, J., *Der Machtkampf zwischen Burgund und Orleans unter den Herzögen Philipp dem Kühnen, Johann Ohnefurcht von Burgund und Ludwig von Orleans, mit besonderer Berücksichtigung der Auseinandersetzung im deutsch-französischen Grenzraum*. PSHIL 75 (Luxemburg 1956).

- Schwarzenberg, G. F., *Placaat- en charterboek van Friesland I* (Leeuwarden 1768).
- Scordia, L., *Le roi doit vivre du sien. La théorie de l'impôt en France (XIIIe–XVe siècles)*. Collection des études augustinienes. Série moyen âge et temps modernes 40 (Paris 2005).
- Scordia, L., 'L'exégèse au service de l'impôt royal. La postille du Franciscain Nicolas de Lyre (+1349)', *Revue d'histoire de l'église de France* 89 (2003) 309–23.
- Scriverius, P., ed., *Het oude Goutsche chronycxken van Hollandt, Zeelandt, Vrieslandt en Utrecht* (Amsterdam 1663).
- Scufflaire, A., *Les fiefs directs des comtes de Hainaut de 1349 à 1504: essai d'inventaire statistique et géographique* (6 vols, Brussels 1978).
- Scufflaire, A., 'Les serments d'inauguration des comtes de Hainaut (1272–1427)', *Standen en Landen* 1 (1950) 79–132.
- Seggern, H. von, *Herrschermedien im Spätmittelalter: Studien zur Informationsübermittlung im burgundischen Staat unter Karl dem Kühnen*. Kieler historische Studien 41 (Ostfildern 2003).
- Seggern, H. von, 'Vom Nutzen der Clusteranalyse. Der holländische Adel in den Rechnungen des Rats von Holland', in: U.-C. Ewert, H. von Seggern, and G. Fouquet, eds, *Adel und Zahl. Studien zum adligen Rechnen und Haushalten in Spätmittelalter und früher Neuzeit* (Ubstadt-Weiher 2000) 197–217.
- Sieber-Lehmann, C., *Spätmittelalterlicher Nationalismus. Die Burgunderkriege am Oberrhein und in der Eidgenossenschaft*. Veröffentlichungen des Max-Planck-Instituts für Geschichte 116 (Göttingen 1995).
- Sivéry, G., 'L'entrée du Hainaut dans la principauté bourguignonne', *Revue du Nord* 56 (1974) 322–39.
- Sivéry, G., 'L'évolution des documents comptables dans l'administration hennuyère de 1287 à 1360 environ', *BCRH* 141 (1975) 133–235.
- Sivéry, G., *Structures agraires et vie rurale dans le Hainaut à la fin du Moyen Âge* (Lille 1977).
- Sleiderink, R. H., *De stem van de meester. De hertogen van Brabant en hun rol in het literaire leven (1106–1430)*. Nederlandse literatuur en cultuur in de Middeleeuwen 25 (Amsterdam 2003).
- Small, G., 'When indiciaires meet rederijkers: contribution to the history of the Burgundian theatre state', in: J. Oosterman, ed., *Stad van koopmanschap en vrede. Literatuur in Brugge tussen middeleeuwen en redelijkerstijd* (Leuven 2005) 133–61.
- Smedt, R. de, *Les chevaliers de l'Ordre de la Toison d'or au XVe siècle* Kieler Werkstücke Reihe D, Band 3 (Frankfurt am Main 1994).
- Smet, J. de, 'Le dénombrement des foyers en Flandre en 1469', *BCRH* (1935) 105–50.
- Smidt, J. Th. de, 'De editie van de Memorialen Rosa', in: R. Huijbrecht, ed., *Handelingen van het eerste Hof van Holland symposium*. Algemeen Rijksarchief publikatiereeks 4 (The Hague 1997) 3–11.
- Smidt, J. Th. de, and E. I. Strubbe, *Chronologische lijsten van de geëxtendeerde sententiën berustende in het archief van de Grote Raad van Mechelen I* (Brussels 1966).
- Smit, H. J., *De rekeningen der graven en gravinnen uit het Henegouwsche huis* (Amsterdam, Utrecht 1924).
- Smit, J. G., *Bronnen voor de economische geschiedenis van het Beneden-Maasgebied. Rekeningen van de Hollandse tollers, 1422–1534*. RGP Grote serie 236 (The Hague 1997).
- Smit, J. G., *Bronnen voor de geschiedenis der dagvaarten van de Staten en steden van Holland voor 1544*. 1467–77. RGP Grote serie 242 (The Hague 1998).
- Smit, J. G., *Bronnen voor de geschiedenis der dagvaarten van de Staten en steden van Holland voor 1544*. 1433–1467. Eerste Stuk. Inleiding, lijsten en indices. RGP Grote serie 255 (The Hague 2010).

- Smit, J. G., *Bronnen voor de geschiedenis der dagvaarten van de Staten en steden van Holland voor 1544. 1433–1467. Tweede stuk. Teksten*. RGP Grote serie 256 (The Hague 2005).
- Smit, J. G., *Vorst en onderdaan. Studies over Holland en Zeeland in de late Middeleeuwen*. Miscellanea Neerlandica 12 (Leuven 1995).
- Smit, J. G., J. W. J. Burgers, and E. T. van der Vlist, *Bronnen voor de geschiedenis der dagvaarten van de Staten van Zeeland, 1318–1572*. RGP, Grote serie 263 (3 vols, The Hague 2011).
- Smolar-Meynart, A., *La justice ducale du plat pays, des forêts et des chasses en Brabant (XIIe–XVIe siècle). Sénéchal, maître des bois, gruyer, grand veneur*. ASRAB 60 (Brussels 1991).
- Snellaert, F.-A., ed., *Nederlandsche gedichten uit de veertiende eeuw van Jan Boendale, Hein van Aken en anderen* (Brussels 1869).
- Soens, T., *De rentmeesters van de graaf van Vlaanderen. Beheer en beheerders van het grafelijk domein in de late Middeleeuwen*. Verhandelingen van de Koninklijke Vlaamse Academie van België voor wetenschappen en kunsten. New series 9 (Brussels 2002).
- Soens, T., 'Évolution et gestion du domaine comtal en Flandre sous Louis de Male et Philippe le Hardi (1346–1404)', *Revue du Nord* (2001) 25–63.
- Sosson, J. P., 'Les petites villes du Zwin (XIVe–XVe siècles): des espaces urbains inviables?' in: P. Contamine, T. Dutour, and B. Schnerb, eds, *Commerce, finances et société (XIe–XVIe siècle). Recueil de travaux offerts à Henri Dubois* (Paris 1993) 171–84.
- Spruyt, H., *The sovereign state and its competitors. An analysis of systems change* (Princeton, NJ 1994).
- Spufford, P., 'Debasement of the coinage and its effects on exchange rates and the economy: in England in the 1540s, and in the Burgundian-Habsburg Netherlands in the 1480', in: J. H. Munro, ed., *Money in the pre-industrial world: bullion, debasement and coin substitutes* (London 2012) 63–86.
- Spufford, P., *Handbook of medieval exchange* (London 1986).
- Spufford, P., *Monetary problems and policies in the Burgundian Netherlands, 1433–1496* (Leiden 1970).
- Spufford, P., *Money and its use in medieval Europe* (Cambridge 1988).
- Spufford, P., 'The general officers of the Burgundian mints in the Netherlands in the fifteenth century', *Jaarboek voor munt-en penningkunde* 65–66 (1978) 5–14.
- Stabel, P., *Dwarfs among giants: the Flemish urban network in the late middle ages*. Studies in urban social, economic and political history of the medieval and modern Low Countries, 8 (Leuven; Apeldoorn 1997).
- Stabel, P., 'For mutual benefit? Court and city in the Burgundian Low Countries', in: S. J. Gunn and A. Janse, eds, *The court as a stage. England and the Low Countries in the later Middle Ages* (London 2006) 101–17.
- Steensel, A. van, 'Edelen, belastingheffing en politieke verhoudingen in laatmiddeleeuws Zeeland', in: M. Damen and L. Sicking, eds, *Bourgondië voorbij. De Nederlanden 1250–1650. Liber Alumnorum Wim Blockmans*. Middeleeuwse studies en bronnen 123 (Hilversum 2010) 177–92.
- Steensel, A. van, *Edelen in Zeeland. Macht, rijkdom en status in een laatmiddeleeuwse samenleving* (Hilversum 2010).
- Steensel, A. van, 'Het personeel van de laatmiddeleeuwse steden Haarlem en Leiden, 1428–1572', *Jaarboek voor middeleeuwse geschiedenis* 9 (2006) 191–252.
- Stein, R., '74 Woorden die het verschil maken. Over de ontwikkeling van het Brabantse recht van weerstand', *Noordbrabants historisch jaarboek* 29 (2012) 46–63.

- Stein, R., 'Burgundian bureaucracy as a model for the Low Countries? The Chambres des Comptes and the creation of an administrative unity', in: R. Stein, ed., *Powerbrokers in the late Middle Ages*. Burgundica 4 (Turnhout 2001) 3–25.
- Stein, R., 'De affaire van Borselen en de consolidatie van de Bourgondische macht in de Nederlanden (1425–1435)', *BMGN* 124 (2009) 3–28.
- Stein, R., 'De Staten en de ontwikkeling van de Raad van Holland', in: R. Huijbrecht, ed., *Handelingen van het eerste Hof van Holland symposium*. Algemeen Rijksarchief publikatie-reeks 4 (The Hague 1997) 17–28.
- Stein, R., 'Een vergeten crisis. Over een conflict tussen hertog Antoon en de Staten van Brabant in 1407', in: J. M. Duvosquel, J. Nazet, and A. Vanrie, eds, *Les Pays-Bas bourguignons. Histoire et institutions. Mélanges André Uytendaele* (Brussels 1996) 413–34.
- Stein, R., 'Gifts of mourning-cloth at the Brabantine court in the fifteenth century', in: W. P. Blockmans and A. Janse, eds, *Showing status. Representations of social positions in the late Middle Ages* (Turnhout 1999) 51–80.
- Stein, R., 'List en bedrog? De verpanding van Holland en Zeeland in 1430–1431', in: E. Dijkhof and M. J. van Gent, eds, *Uit diverse bronnen gelicht. Opstellen aangeboden aan dr J. G. Smit* (The Hague 2008) 309–30.
- Stein, R., 'Lotharingia in Burgundian times. An identity?', to appear in: H. Pettiau, ed., *Identités lotharingiennes*.
- Stein, R., 'Natuurlijk Filips de Goede. De Bourgondische erfopvolging in de Nederlanden', in: M. Damen and L. Sicking, eds, *Bourgondië voorbij. De Nederlanden 1250–1650. Liber Alumnorum Wim Blockmans*. Middeleeuwse studies en bronnen 123 (Hilversum 2010) 15–29.
- Stein, R., *Politiek en historiografie. Het ontstaansmilieu van Brabantse kronieken in de eerste helft van de vijftiende eeuw*. Miscellanea Neerlandica 10 (Leuven 1994).
- Stein, R., 'Recht en territorium. De Lotharingse ambities van Filips de Goede', J. Geurts and H. de Schepper, eds, *Staatsvorming onder Bourgondiërs en Habsburgers. Theorie en praktijk* (Maastricht 2006) 51–79.
- Stein, R., 'Stände und Staat in den Niederlanden', in: R. C. Schwinges, C. Hesse, and P. Moraw, *Europa im späten Mittelalter. Politik—Gesellschaft—Kultur*. Historische Zeitschrift. Beiheft 40 (Munich 2006) 205–35.
- Stein, R., 'The State's officers. The Burgundian Netherlands in the middle of the fifteenth century', in: R. Suntrup and J. R. Veenstra, eds, *Shaping the present and the future* (Frankfurt am Main 2008) 181–208.
- Stein, R., 'The urban network in the Low Countries. A cultural approach', in: R. Stein and J. Pollmann, eds, *The dynamics of identity in the Low Countries, 1300–1600. Towards a comparative perspective* (Leiden; Boston, MA 2010) 43–71.
- Stein, R., A. Boele, and W. Blockmans, 'Whose community? The origin and development of the concept of Bonum commune in Flanders, Brabant and Holland (12th–15th century)', in: E. Lecuppre-Desjardin and A.-L. van Bruaene, eds, *De bono communi. The discourse and practice of the common good in the European city (13th–16th c.) Discours et pratique du Bien Commun dans les villes d'Europe (XIIIe au XVIe siècle)*. Studies in European urban history 22 (Turnhout 2010) 149–69.
- Stengers, J., 'La mythe des dominations étrangères dans l'historiographie belge', *RBPH* 59 (1981) 382–401.
- Stengers, J., 'Philippe le Hardi et les États de Brabant', in: G. Despy, M. A. Arnould, and M. Martens, eds, *Hommage au professeur Paul Bonenfant* (Brussels 1965) 383–408.
- Sterchi, B., 'Hugues de Lannoy, auteur de l'Enseignement de vraie noblesse, de l'Instruction d'un jeune prince et des Enseignements paternels', *MA* 110 (2004) 79–117.

- Straeten, J. van der, *Het Charter en de Raad van Kortenberg* (Brussels 1952).
- Strayer, J. R., 'The Statute of York and the Community of the Realm', *American historical review* 47 (1941) 1–22.
- Strubbe, E. I., 'De verordening van 1483 voor den Raad van Vlaanderen', *Annales de la Société d'émulation de Bruges* 74 (1931) 160–82.
- Sunthaym, L., 'Familia Ducum Bavariae', in: F. Oefele, ed., *Scriptores Rerum Boicarum* (Augsburg 1763) 562–75.
- Tanerijen, W. van der, *Boec van der loopender practijken der Raidtcameren van Brabant*, ed. E.I. Strubbe (Brussels 1952).
- Theurot, J., 'Le parlement de Dôle et son impact sur la vie urbaine (XIV^{ième}–XV^{ième} siècles)', *MSDB* 39 (1982) 193–210.
- Theurot, J., 'L'Université de Dôle au service de Bourgogne. L'Université, les gens de savoir et le prince (1423–début XVI^e siècle)', *Publications CEEB* 38 (1998) 263–301.
- Thielemans, M. R., 'Un emprunt brabancon sur la place de Bruges en 1425', in: G. Despy, M. A. Arnould, and M. Martens, eds, *Hommage au professeur Paul Bonenfant* (Brussels 1965) 453–65.
- Thissen, B., 'Landsheerlijke rekeningen als bron voor historisch onderzoek. Het voorbeeld van de laatmiddeleeuwse Gelderse rekeningen, gerelateerd aan Kleefs bronnenmateriaal', in: D. E. H. de Boer, J. W. Marsilje, and J. G. Smit, eds, *Van der rekeninghe. Bijdragen aan het symposium over onderzoek en editieproblematiek van middeleeuws rekeningmateriaal* (The Hague 1998) 133–52.
- Thomassen, T., *Instrumenten van de macht. De Staten-Generaal en hun archieven 1576–1796*. Onderzoeksgids Huygens instituut voor Nederlandse geschiedenis (The Hague 2015).
- Tierenteyn, L., *Histoire des origines, des développements et du rôle des officiers fiscaux près les Conseils de Justice dans les anciens Pays-Bas, depuis le X^{ve} jusqu'à la fin du XVIII^e siècle*. Mémoires couronnés et autres mémoires publiés par l'Académie royale des sciences, des lettres et des beaux-arts de Belgique 45 (Brussels 1891).
- Tilly, C., *Coercion, capital, and European states, AD 990–1992* (Cambridge, MA; Oxford 1992).
- Tilly, C., 'War making and state making as organized crime', in: P. Evans, D. Rueschemeyer, and T. Scocpol, eds, *Bringing the state back in* (Cambridge 1985) 169–91.
- Timmer, R., *Profeet in eigen land. Philips van Leiden en het publiek belang*. Middeleeuwse studies en bronnen 112 (Hilversum 2008).
- Tol, J. F. J. van, *Het boek van Sidrac in de Nederlanden* (Amsterdam; Paris 1936).
- Töpfer, B., 'Die Rolle von Städtebünden bei der Ausbildung der Ständeverfassung in den Fürstentümern Lüttich und Brabant', in: B. Töpfer, ed., *Städte und Ständestaat. Zur Rolle der Städte bei der Entwicklung der Ständeverfassung in europäischen Staaten vom 13. bis zum 15. Jahrhundert*. Forschungen zur mittelalterlichen Geschichte 26 (Berlin 1980) 113–54.
- Tóth-Ubbens, M., 'Een dubbel vorstenhuwelijk in het jaar 1385', *Bijdragen voor de geschiedenis der Nederlanden* 19 (1964) 101–32.
- Tracy, J. D., *A financial revolution in the Habsburg Netherlands. Renten and renteniers in the county of Holland, 1515–1565* (Berkely; Los Angeles; London 1985).
- Trausch, G., *Luxemburg. Opkomst van een staat en van een natie* (Antwerp 1989).
- Trio, P., *Volksreligie als spiegel van een stedelijke samenleving. De broederschappen te Gent in de late middeleeuwen*. Symbolae B 11 (Leuven 1993).
- Turba, G., *Geschichte des Thronfolgerechtes in allen habsburgischen Ländern bis zur pragmatischen Sanktion Kaiser Karls VI. 1156–1732* (Leipzig; Vienna 1903).

- Uyttebrouck, A., *Le gouvernement du duché de Brabant au bas Moyen-âge (1356–1430)*. Publications de l'Université Libre de Bruxelles, Faculté de Philosophie et Lettres 59 (Brussels 1975).
- Uyttebrouck, A., 'Les origines du Conseil de Brabant. La Chambre du Conseil du duc Jean IV', *RBPH* 36 (1958) 1135–71.
- Uyttebrouck, A., 'Notes et réflexions sur la structure des premiers comptes conservés de la recette de Brabant (années 1363–1364 et suivantes)', in: *Centenaire du Séminaire d'histoire médiévale de l'Université libre de Bruxelles, 1876–1976* (Brussels 1977) 219–57.
- Uyttebrouck, A., 'Phénomènes de centralisation dans les Pays-Bas avant Philippe le Bon', *RBPH* 69 (1991) 872–904.
- Uytven, R. van, '1477 in Brabant', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden*. Standen en Landen 80 (Kortrijk-Heule 1985) 253–84.
- Uytven, R. van, 'De Blijde Inkomst van Maria van Bourgondië, 29 mei 1477. Tekst en eigentijds commentaar', in: W. P. Blockmans, ed., *1477. Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden*. Standen en Landen 80 (Kortrijk-Heule 1985) 286–371.
- Uytven, R. van, 'De Brabantse adel als politieke en sociale groep tijdens de late middeleeuwen', in: J. Verbesselt, ed., *De adel in het hertogdom Brabant* (Brussels 1985) 75–88.
- Uytven, R. van, 'Het stedelijk leven 11de–14de eeuw', in: *NAGN* 2 (Haarlem 1982) 187–253.
- Uytven, R. van, 'Imperialisme of zelfverdediging. De extra-stedelijke rechtsmacht van Leuven', *BG* 58 (1975) 7–72.
- Uytven, R. van, 'Plutokratie in de "oude democratieën der Nederlanden". Cijfers en beschouwingen omtrent de korporatieve organisatie en de sociale structuur der gemeenten in de late Middeleeuwen', *Handelingen van de Koninklijke Zuidnederlandse maatschappij voor taal- en letterkunde en geschiedenis* 16 (1962) 373–409.
- Uytven, R. van, 'Sociaal-economische evoluties in de Nederlanden voor de Revoluties (veertiende-zestiende eeuw)', *BMGN* 87 (1972) 61–93.
- Uytven, R. van, *Stadsfinanciën en stadseconomie te Leuven van de XIIe tot het einde der XVIe eeuw*. Verhandelingen van de Koninklijke Akademie van Wetenschappen, Letteren en Schone kunsten, Klasse der letteren 44 (Brussels 1961).
- Uytven, R. van, 'Wereldlijke overheid en reguliere geestelijkheid in Brabant tijdens de late Middeleeuwen', in: L. E. Halkin and E. Persoons, eds, *Bronnen voor de religieuze geschiedenis van België. Middeleeuwen en moderne tijden*. Bibliothèque de la Revue d'histoire ecclésiastique 47 (Leuven 1968) 48–134.
- Vale, M., *The princely court. Medieval courts and culture in north-west Europe 1270–1380* (Oxford 2001).
- Vandenpeereboom, A., *Le Conseil de Flandre à Ypres précédé de: des cours de justice qui ont exercé juridiction souveraine sur la ville d'Ypres et la West-Flandre* (Ypres 1874).
- Vanderjagt, A. J., 'Classical learning and the building of power at the fifteenth-century Burgundian court', in: J. W. Drijvers and A. Macdonald, eds, *Centres of learning. Learning and location in pre-modern Europe and the Near East*. Brill's studies in intellectual history 61 (Leiden 1995) 267–77.
- Vandermaesen, M., 'Curia comitis en grafelijke en hertogelijke raad (11de eeuw–1482)', in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. Studia 72 (Brussels 1997) 44–63.

- Vandermaesen, M., *De besluitvorming in het graafschap Vlaanderen tijdens de veertiende eeuw. Bijdrage tot een politieke sociologie van de Raad en van de raadsheren achter de figuur van Lodewijk II van Nevers* (3 vols, Brussels 1999).
- Vandermaesen, M., 'Het slot Rupelmonde als centraal archiefdepot van het graafschap Vlaanderen (midden 13de–14de e.)', *BCRH* 136 (1970) 273–317.
- Vandermaesen, M., 'Vlaanderen en Henegouwen onder het huis van Dampierre (1244–1384)', in: *NAGN* 2 (Bussum 1982) 399–440.
- Vandermaesen, M. and K. Vandewoude, 'Het hof der graven van Vlaanderen en hertogen van Bourgondië', in: W. Prevenier and B. Augustyn, eds, *De gewestelijke en lokale overheidsinstellingen in Vlaanderen tot 1795*. Algemeen Rijksarchief en Rijksarchief in de provinciën. *Studia* 72 (Brussels 1997) 27–43.
- Varenbergh, É., 'Elisabeth de Gorlitz', *BNB* 6 (1866) 548–52.
- Vaughan, R., *The dukes of Burgundy. Charles the Bold. The last Valois duke of Burgundy* (Woodbridge 2002).
- Vaughan, R., *The dukes of Burgundy. John the Fearless. The growth of the Burgundian power* (Woodbridge 2002).
- Vaughan, R., *The dukes of Burgundy. Philip the Bold. The formation of the Burgundian state* (Woodbridge 2002).
- Vaughan, R., *The dukes of Burgundy. Philip the Good. The apogee of Burgundy* (Woodbridge 2002).
- Veen, J. S. van and A. P. van Schilfgaarde, 'De Raden of Hoven van Karel den Stoute in Gelderland', *BMG* (1933) 23–36.
- Velden, H. van der, 'Cambyes for example: The origins and function of an exemplum iustitiae in Netherlandish art of the fifteenth, sixteenth and seventeenth centuries', *Simiolus: kunsthistorisch tijdschrift* 23 (1995) 5–39.
- Velden, H. van der, 'Cambyes reconsidered: Gerard David's exemplum iustitiae for Bruges town hall', *Simiolus: kunsthistorisch tijdschrift* 23 (1995) 40–62.
- Venner, G. H., *Inventaris van het archief van de Staten van het Overkwartier van Gelder 1404–1794* (Maastricht 1979).
- Verhaest, H., 'De gedwongen tenuitvoerlegging van vonnissen en acten in de rechtspraak van de Raad van Vlaanderen (1430–1520)', in: J. M. I. Koster-van Dijk and A. Wijffels, eds, *Miscellanea Forensia Historica: ter gelegenheid van het afscheid van prof. mr J. Th. de Smidt*. Verzamelen en bewerken van de jurisprudentie van de Grote Raad Nieuwe reeks 14 (Amsterdam 1988) 295–324.
- Verhaest, H., 'Het openbaar ministerie bij de Raad van Vlaanderen in de Bourgondische tijd', in: *Verslag van het zesde Belgisch-Nederlands rechtshistorisch congres* (Nijmegen 1981) 30–3.
- Verkooren, A., *Inventaire des chartes et cartulaires des duchés de Brabant et de Limbourg et des pays d'Outremerse I* (Brussels 1910).
- Verkooren, A., *Inventaire des chartes et cartulaires du Luxembourg* (5 vols, Brussels 1914).
- Vermeesch, A., *Essai sur les origines et la signification de la commune dans le nord de la France (XIe et XIIe siècles)*. Etudes présentées à la Commission internationale pour l'histoire des assemblées d'États 30 (Heule 1966).
- Vermeir, R., *In staat van oorlog. Filips IV en de Zuidelijke Nederlanden, 1629–1648* (Maastricht 2001).
- Verwerft, B., 'Een blauwdruk van het Bourgondische beleid in het graafschap Vlaanderen: de regentschapsinstructie van 1387', *BCRH* (2011).
- Verwijs, E., *Middelnederlandsch Woordenboek* (The Hague 1885).

- Verzameling van XXIV originele charters en keuren van de provincie van Vlaenderen van de XIIIe, XIVe, XVe en XVIe eeuw* (Ghent 1787).
- Volckaert, S., *De functionarissen bij de Raad van Vlaenderen (1386–1404). Een onderzoek naar de sociale invloeden bij de samenstelling van de Raad* (Ghent 1994).
- Vries, O., *Het Heilige Roomse Rijk en de Friese vrijheid*. Fryske Akademy 663 (Leeuwarden 1986).
- Vrugt, M. van der, 'David et Philippe de Bourgogne et la cour d'appel d'Utrecht', *Publications CEEB* 30 (1990) 57–65.
- Vuyksteke, J., *De rekeningen der stad Gent. Tijdvak van Philips van Artevelde, 1376–1389* (Ghent 1893).
- Waal, H., *Drie eeuwen vaderlandsche geschieduitbeelding 1500–1800: een iconologische studie*. (The Hague 1952).
- Waale, M. J., *De Arkelse oorlog, 1401–1412. Een politieke, krijgskundige en economische analyse*. Middeleeuwse studies en bronnen, 17 (Hilversum 1990).
- Waha, M. de, 'Aux origines de la chartreuse de Scheut: pèlerinage "populaire" et monastère "patricien"', *ASRAB* 51 (1978) 3–26.
- Wal, M. van der, *Eenmaal, andermaal, verpacht. De algemene verpachting bij opbod van de Hollandse baljuwschappen en schoutambten in 1469 en 1475, volgens ordonnantie van Karel de Stoute* (Doctoral thesis, Leiden 2003).
- Ward, J. P., *The cities and states of Holland (1506–1515). A participative system of government under strain* (Leiden 2001).
- Warnar, G., ed., *Ridderboek* (Amsterdam 1991).
- Warnar, G., 'The dominican, the duke and the book. The authority of the written word in Dirc van Delft's Tafel van den Kersten gelove (ca. 1400)', in: C. Brusati, K. Enenkel, and W. Melio, eds, *The authority of the word. Reflecting on image and text in northern Europe, 1400–1700* (Leiden 2012) 49–72.
- Watts, J., *The making of polities. Europe, 1300–1500* (Cambridge 2009).
- Wauters, A., 'Les serments prêtés aux villes principales du Brabant par les ducs lors de leur inauguration', *BCRH* 14 (1887) 82–98.
- Weber, M., 'Politics as a vocation', in: *Essays in sociology* (Oxford 1946) 77–128.
- Weber, M., *Wirtschaft und Gesellschaft. Grundriss der verstehenden Soziologie* (Tübingen 1921).
- Wedekind, W. P. G. E., *Bijdrage tot de kennis van de ontwikkeling van de procesgang in civiele zaken voor het Hof van Holland in de eerste helft van de zestiende eeuw*. Bijdragen van het Instituut voor rechtsgeschiedenis der Rijksuniversiteit Utrecht 8 (Assen 1971).
- Wellens, R., 'Les États et l'accession de Philippe le Bon au gouvernement du comté de Hainaut', in: J.-M. Cauchies and J.-M. Duvosquel, eds, *Recueil d'études d'histoire hainuyère offertes à Maurice A. Arnould* 2 (Mons 1982) 101–8.
- Wellens, R., *Les États Généraux des Pays-Bas des origines à la fin du règne de Philippe le Beau (1464–1506)*. Standen en Landen 64 (Heule 1974).
- Werweke, H. van, *De Gentsche stadsfinanciën in de Middeleeuwen* (Brussels 1934).
- Werweke, H. van, 'De Nederlanden tegenover Frankrijk, 1305–1346', in: J. A. van Houtte et al., eds, *Algemene geschiedenis der Nederlanden* III (Utrecht; Antwerp 1951) 16–62.
- Werweke, H. van, 'Munt en politiek. De Frans-Vlaamse verhoudingen vóór en na 1300', *Bijdragen voor de geschiedenis der Nederlanden* 8 (1954) 1–19.
- Werweke, H. van, *Thomas Becket, Filips van de Elzas en Robrecht van Aire* (Brussels 1970).
- Werweke, N. van, 'Definitive Erwerbung des Luxemburger Landes durch Philipp, Herzog von Burgund', *Das Luxemburger Land* 4 (1885) 3–11, 17–25, 33–41, 51.

- Werveke, N. van, 'Les charges du pays de Luxembourg en 1464', *Das Luxemburger Land* 3 (1884) 500–1, 515–18, 546–54.
- Werveke, N. van, 'Notice sur le Conseil provincial de Luxembourg, avant sa réorganisation par Charles-Quint (c. 1200–1531)', *PSHIL* 40 (1889) 253–382.
- Weststrate, J., *In het kielzog van moderne markten. Handel en scheepvaart op de Rijn, Waal en IJssel, ca. 1360–1560*. Middeleeuwse studies en bronnen 113 (Hilversum 2008).
- Wielant, F., *Briève instruction en causes civiles*, ed. L. Sicking and C. H. van Rhee. Filips Wielant verzameld werk 2 (Brussels 2009).
- Wielant, F., *Instructie voor de stad Haarlem ontworpen* (Amsterdam 1874).
- Wielant, F., *Practijcke civile* (Antwerp 1573).
- Wielant, F., 'Recueil des antiquités de Flandres', in: J. J. de Smet, *Recueil des chroniques de Flandre* IV (Brussels 1856) 8–431.
- Win, P. de, 'De adel in het hertogdom Brabant van de vijftiende eeuw. Een terreinverkenning', *TVG* 93 (1980) 391–409.
- Win, P. de, 'De positie van de Brabantse edelman in de Boergondische Nederlanden', *De Leiegouw* 29 (1987) 101–9.
- Win, P. de, 'L'Orfèvre, Johannes', in: *NBW* 10 (Brussels 1983) 495–500.
- Win, P. de, 'Queeste naar de rechtspositie van de edelman in de Bourgondische Nederlanden', *TRG* 53 (1985) 223–74.
- Win, P. de, 'The lesser nobility of the Burgundian Netherlands', in: M. Jones, ed., *Gentry and lesser nobility in late medieval Europe* (Gloucester; New York 1986).
- Wood, D., *Medieval economic thought* (Cambridge 2002).
- Wree, O. de, *Sigilla comitum Flandriae et inscriptiones diplomatum* (Bruges 1639).
- Wulf, J. P. de, *Ordonnantiën, statuten, edicten ende placcaeten soo van weghen der keyserlycke en konincklycke maiesteyten als...graven ende graefneden van Vlaenderen* (s.l. 1662).
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Charles le Téméraire 1467–1477', *PSHIL* (1880) 1–191.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Guillaume de Saxe 1439–1443', *PSHIL* (1874) 1–192.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Ladislas 1451–1457', *PSHIL* (1875) 1–238.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Ladislas 1443–1451', *PSHIL* (1876) 1–108.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Philippe, duc de Bourgogne 1463–1467', *PSHIL* (1879) 1–66.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Philippe, duc de Bourgogne 1457–1462', *PSHIL* (1878) 1–161.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Albert II, Roi des Romains 1437–1439', *PSHIL* (1872) 1–27.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Sigismond 1419–1437', *PSHIL* (1871) 1–217.
- Würth-Paquet, F. X., 'Table chronologique des chartes et diplômes relatifs à l'histoire de l'ancien pays de Luxembourg. Wenceslas II 1383–1419', *PSHIL* (1869) 1–238.

- Wymans, G., 'La rébellion des nobles Luxembourgeois contre Antoine de Bourgogne, seigneur-gagiste du duché (1411–1415)', *Tablettes d'Ardenne et Eiffel* 2 (1963) 9–34.
- Wymans, G., 'L'exemplaire Montois du Grand Privilege de Marie de Bourgogne (11 février 1477 n.st.)', *Annales du Cercle archéologique de Mons* 70 (1976) 81–116.
- Wymans, G., 'Noble et chevalier dans la coutume du Hainaut', *Standen en Landen* 70 (1977) 73–95.
- Yante, J.-M., *Le Luxembourg Mosellan. Production et échanges commerciaux, 1200–1560*. Académie royale de Belgique, Mémoires de la classe des lettres. Collection in 8° 3e s. 13 (Brussels 1996).
- Yante, J.-M., *Le péage lorrain de Sierck-sur-Moselle (1424–1549). Analyse et édition des comptes*. Veröffentlichungen der Kommission für Saarländische Landesgeschichte und Volksforschung 30 (Saarbrücken 1996).
- Ydema, O. I. M., *Hoofdstukken uit de geschiedenis van het belastingrecht. Over de bevoegdheid van de overheid om belastingen te heffen en de plaats daarbij van het Romeinse recht in het bijzonder met betrekking tot de ontwikkelingen in Holland tot aan 1795* (Groningen 1977).
- Zanden, J. L. van and M. Prak, 'Towards an economic interpretation of citizenship: the Dutch Republic between medieval communes and modern nation-states', *European review of economic history* 10 (2006) 111–45.
- Zoete, A., *De beden in het graafschap Vlaanderen onder de hertogen Jan zonder Vrees en Filips de Goede (1405–1467)*. Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone kunsten van Vlaanderen. Klasse der letteren 149 (Brussels 1994).
- Zoete, A., 'De haardtelling van 1469 in Veurne Ambacht', *BCRH* 156 (1990) 55–133.
- Zoete, A., *Handelingen van de Leden en van de Staten van Vlaanderen (1405–1419). Excerpten uit de rekeningen van de Vlaamse steden, kasselrijen en vorstelijke ambtenaren* (Brussels 1981).
- Zuijderduijn, C. J., 'De laatmiddeleeuwse crisis van de overheidsfinanciën en de financiële revolutie in Holland', *BMGN* (2010) 3–24.
- Zuijderduijn, C. J., *Medieval capital markets. Markets for Renten, state formation and private investment in Holland (1300–1550)*. Global economic history series 2 (Leiden 2009).
- Zuijderduijn, C. J., 'The emergence of provincial debt in the county of Holland (thirteenth–sixteenth centuries)', *European Review of Economic History* 14 (2010) 335–59.

Index

- 's-Hertogenbosch 51, 135, 192, 248
's-Hertogenrade 27, 30
- Aachen 131
Aalst 26
Adolph
 Duke of Guelders 47, 102, 199
Adolph
 Duke of Jülich-Berg 46, 47
Adolph of Egmond
 Duke of Guelders 47
Aerts, Erik 206
Agincourt
 Battle of 41, 43
Aire, Robert d' 141, 155
Aire-sur-la-Lys 141
Aken, Hein van 71
Albert
 Roman king 44
Albert of Bavaria
 Count of Hainaut, Holland, Zeeland 29,
 30, 32, 37, 40, 57, 60, 61, 84, 104,
 142, 214, 229
Alkmaar 213, 223
Allertszoon, Jan 159
Alps 8, 48, 76
Alsace 46, 48
Altena 85
Amance, Robert d' 190
America 227
Amiens 45, 138
Amstelveen 79
Amsterdam 63, 79, 98, 111, 130, 153, 158,
 188, 223, 246
Anjou
 House 42
Anna of Luxemburg-Bohemia 44, 45, 50
Anton
 Duke of Brabant 1, 21, 27, 28, 30, 32, 33,
 35, 40, 41, 43, 44, 50, 56, 81, 82, 84, 87,
 92, 99, 102, 105, 106, 110, 128, 131,
 204, 217, 221, 234, 253
Antwerp 26, 27, 32, 51, 93, 100, 113, 135,
 209, 221, 253
 Margraviate 16, 17, 18, 27, 41
Aquinas, Thomas 71, 228
Aquitaine 230
Ardennes 123
Arkel
 Lords of 84
 Land of 85
Armagnac party 33, 35, 85, 102, 104
Arnhem 64, 137, 145, 193
- Arnold
 Duke of Guelders 47, 96, 102
Arnold of Egmond
 Duke of Guelders 47
Arnould, Maurice 87, 103
Arras 25, 45, 91, 111, 208, 213
 Treaty of 20, 45, 123
Artevelde, Jacob van 164, 222
Artois 5, 13, 17, 18, 19, 20, 24, 25, 26, 32, 35,
 48, 49, 50, 51, 52, 70, 90, 91, 103, 104,
 105, 111, 113, 125, 126, 141, 144, 148,
 155, 156, 157, 178, 179, 180, 181, 188,
 189, 192, 193, 199, 201, 203, 208, 209,
 216, 218, 231, 233, 235, 237, 240, 242,
 243, 250, 251, 262
 States of 148, 149, 153, 237
Aubriot, Jean 142
Audience 142, 145, 165
Augsburg
 Treaty of 22, 262
Aurelius, Cornelius 177
Austrian Netherlands 10
Auxerre 45, 237, 238
- Baesweiler
 Battle of 84, 91
Baillart, Jan 192
Baldwin IX
 Count of Flanders and Hainaut 61
Baldwin III
 Count of Hainaut 62
Baltic 112
Baltic Sea 111
Bar 46
Basel
 Council of 94, 257
Batenburg 137
Bavaria
 House of 45, 46
Beaune, Colette 253
Bedford
 Duke of 125
Belgium 10, 12, 262, 264
Beoostenzweene, Pieter van 138
Berchen, Willem van 184
Berg 85
Berge, Jan van den 129
Besançon 143
Best, Peter van 248, 249
Beyer, Jan de 167
Billaut, Thibaut 200
Binnenhof 55, 73, 120, 132, 137
Black Forest 185

- Bladelin, Pieter 124
 Blaisy, Geoffroy de 127
 Blanot, Jean de 142
 Blockmans, Wim 8, 9, 11, 55, 70, 148, 228
 Boendale, Jan van 53, 71, 76, 100, 161, 221, 229
 Bohemia 128
 Boids, Fierabras 208
 Bologna 142, 143
 Bonenfant, Paul 10
 Bont, Jan 131, 174
 Bont, Willem 131
 Borselen
 Family 88, 128, 129
 Borselen, Frank of 93, 94, 125, 138
 Borselen, Henry of, Lord of Veere 125, 138
 Boshuysen, Floris van 152, 153, 154, 163, 167
 Bos-Rops, Yvonne 93, 97
 Boulogne 13, 18, 35, 45, 70, 103, 104, 148, 218, 244
 Bourbon, Arthur of 250
 Bourguignon party 102
 Bousse, David 204
 Bouvines 57
 Brabant, *passim*
 Council of 133, 134, 136, 137, 140, 141, 142, 144, 161, 163, 168, 169, 170, 171, 172, 173, 175, 176, 212, 221
 States of 1, 42, 43, 56, 57, 69, 74, 75, 77, 88, 93, 99, 106, 108, 109, 135, 143, 148, 153, 167, 200, 204, 215, 220, 221, 222, 223, 231, 232, 244, 250
 Breda
 Treaty of 222
 Brederode
 Family 145, 146
 Brederode, Reinout II of 125
 Breisgau 46
 Brielle 112
 Brimeu
 Family 138
 Brimeu, Guy de 138
 Brittany 103
 Duke of 226
 Bruges 11, 13, 15, 24, 26, 51, 58, 63, 64, 76, 91, 93, 97, 98, 104, 106, 111, 112, 113, 121, 122, 124, 126, 135, 138, 148, 174, 209, 218, 227, 235, 240
 Bruges, Franc of 58, 236
 Brune, Jan de 170
 Brussels 13, 27, 29, 51, 55, 64, 66, 82, 84, 96, 109, 110, 111, 113, 120, 121, 122, 135, 137, 185, 192, 206, 208, 215, 231, 237, 239, 249, 253, 254, 260
 Audit office 200, 202, 204, 205, 206, 207, 212, 213, 214, 215, 223, 224, 244, 264
 Coudenberg 120, 122, 137, 207
 Grand Place 249, 260
 Buren 96
 Burgundy (Duchy) 11, 13, 15, 18, 19, 22, 23, 25, 26, 32, 49, 50, 67, 81, 104, 116, 120, 123, 124, 125, 127, 128, 139, 143, 146, 158, 166, 179, 181, 185, 188, 189, 190, 192, 193, 194, 198, 199, 200, 202, 207, 208, 209, 216, 218, 231, 233, 235, 236, 237, 238, 244, 249, 253
 Council 133, 137, 142, 169, 170, 179
 Kingdom 255
 Caligator, Johannes 71
 Cambrai 117
 Treaty of 20, 262
 Cambyzes 160
 Camdonc, Peter of 130
 Canard, Jean 123
 Capetian dynasty 8, 23
 Carthusian, Denis the 71
 Castille 103
 Catherine of Bavaria 86
 Central Europe 8
 Chalons
 family 146
 Champagne 98
 Charles IV
 Emperor 25, 28, 29, 44
 Charles V 167, 262
 King of France 19, 21
 Charles VI
 King of France 19, 20, 35, 244
 Charles VII
 King of France 42, 45, 123, 239, 254
 Charles the Bad
 King of Navarre 23
 Charles the Bold
 Duke of Burgundy, *passim*
 Charles of Orleans 20
 Charolais 17, 18, 23
 Chartres 141
 Chastellain, Georges 10, 42, 123, 226, 255
 Chiny 43, 94, 209
 Clito, William
 Count of Flanders 72
 Cod party 40, 51, 80, 85, 102, 108, 130, 132, 138
 Cologne 84
 Commynes, Philippe de 109, 226, 259
 Constance
 League of 48
 Corbie 45
 Cotthem, Wein van 115
 Courtrai 63, 137
 Cretey, Jean 90, 203
 Cronenburg
 Family 145
 Croÿ
 Family 123, 138, 146
 Cruce, Andries van der 206, 208, 223
 Cruesink, Jacob 206, 207, 208, 214
 Cuvelier, Joseph 148

- Dalhem 27, 30
 Damme 227
 Daniel 142
 David of Burgundy
 Bishop of Utrecht 46, 84
 David, Gerard 160
 Delf, Dirc van 71
 Delft 79, 98, 158, 223, 246
 Treaty of 40, 49, 80, 106, 130, 140
 Dendermonde 26
 Denmark 13
 Dhondt, Jan 78
 Dijon 6, 55, 90, 117, 121, 123, 137, 185, 200,
 201, 202, 207, 208, 237
 Audit office 185, 202, 203, 206, 212, 215
 Doesburg 177
 Dôle 137, 143, 207
 Donck, Johan van der 199
 Dordrecht 6, 31, 63, 64, 66, 79, 89, 93, 98, 99,
 106, 107, 112, 113, 131, 156, 230, 246
 Dormaal 146
 Douai 24, 111, 165, 166
 Treaty of 39, 40
 Drenthe 263
 Driel, Hendrik van 138
 Dutch Republic 11, 12, 227, 263, 264
 Duyvenvoorde, Willem van 102
 Dynter, Ambrosius de 146, 170, 223

 Edmund Langley
 Duke of York 24
 Edward
 Duke of Guelders 47
 Edward III
 King of England 24, 60
 Ee, Adriaan van der 138
 Eggert, Willem 188
 Egmond
 Family 145, 146
 Egmond, Arnold of 47
 Egmond, John of 46
 Egmond, William of 145, 212
 Elisabeth of Görlitz
 Duchess of Luxembourg 2, 37, 41, 44, 45, 50,
 82, 84, 86, 94, 96, 101
 Elisabeth of Luxembourg 44, 45
 Elliott, John 12
 Engelbrechtszoon, Filips 256
 England 35, 37, 103, 122, 137, 189, 227, 244
 Ertman, Thomas 8
 Eycken, Jan van der 192

 Falletans, Hugues de 185, 193
 Fauquemont 83
 Ferrette 43
 Fines, Thomas 200
 Flanders, *passim*
 Council of 116, 123, 129, 130, 133, 134,
 136, 137, 140, 141, 144, 161, 163, 165,
 166, 168, 169, 170, 171, 172, 173, 174,
 175, 178, 208, 220, 221
 Members of 50, 55, 58, 64, 69, 70, 75, 76,
 77, 78, 106, 112, 135, 140, 148, 150, 164,
 167, 180, 204, 231, 235, 237, 240, 245
 States of 56, 58, 70, 148, 149, 150, 153
 Flobecq 161
 Floreffe 101, 226
 Florence 219
 Floris V
 Count of Holland and Zeeland 37, 61,
 72, 97
 Formelis, Simon of 130
 Four Offices 26
 France 3, 8, 9, 11, 12, 15, 19, 20, 25, 27, 29,
 35, 45, 56, 61, 77, 103, 104, 108, 110,
 117, 122, 127, 128, 137, 165, 172, 178,
 198, 224, 226, 230, 238, 241, 244, 250,
 255, 257, 259, 262
 Franche-Comté 11, 13, 17, 18, 19, 20, 24, 25,
 26, 32, 48, 49, 51, 52, 67, 115, 120, 123,
 124, 127, 128, 135, 142, 143, 158, 185,
 189, 190, 192, 193, 194, 199, 200, 207,
 208, 209, 218, 230, 231, 233, 235, 236,
 237, 238, 244
 Francis I
 King of France 262
 Frankfurt 39, 131
 Frederick III 180, 255
 Emperor 48
 Fredericq, Paul 10, 11
 Friesland 17, 18, 36, 37, 46, 85, 190, 237,
 257, 263
 Kingdom of 255
 Fruin, Robert 11

 Gangelt 27, 30
 Garnier, Michel 178
 Gavere
 Peace of 163, 180
 Geerttruidenberg 100, 230
 Geldenaken, William van 142
 Gelnhausen 39
 Genet, Jean-Philippe 9, 214
 Gerald
 Duke of Jülich-Berg 47, 51
 Gerald I
 Count of Berg 47
 Germain, Jean 257
 Ghent 10, 11, 13, 26, 48, 58, 63, 64, 76, 77, 83,
 90, 98, 111, 113, 121, 122, 135, 137, 138,
 164, 174, 180, 202, 220, 222, 240, 247, 251
 Gravensteen 137
 Posteerne 137
 Zaal 137
 Gherbode, Thierry 92
 Gistel, Jan van 130
 Godfrey I
 Count of Leuven 27

- Godfrey I
 Duke of Brabant 27
 Godfrey of Loon
 Lord of Heinsberg 47
 Gooiland 79, 93, 106
 Gorinchem 112
 Gouda 79, 80, 195, 223, 246
 Grandson 253
 Gray, Jolis le 200
 Grimbergen, Jan van 199, 200, 225
 Groningen 263
 Gronsveld, John of 29, 49
 Gruuthuse, Louis of 129
 Guelders 13, 14, 19, 29, 35, 46, 48, 49, 51, 52,
 59, 65, 67, 70, 81, 83, 84, 85, 86, 96,
 106, 108, 113, 115, 120, 128, 142, 145,
 147, 156, 159, 164, 166, 176, 177, 181,
 184, 188, 189, 193, 194, 199, 209, 231,
 233, 235, 239, 244, 246, 251, 263
 Council of 137, 145, 163, 168, 170, 173, 177
 States of 75, 135
 Guenée, Bernard 4, 9, 75
 Guicciardini, Lodovico 5
 Guyenne 230

 Haarlem 79, 98, 130, 153, 158, 223
 Habsburg Empire 262, 263
 Hainault 30
 Hainaut 5, 7, 11, 13, 17, 18, 19, 24, 25, 30,
 35, 36, 37, 38, 39, 40, 48, 49, 50, 52, 57,
 60, 61, 67, 70, 80, 81, 83, 84, 85, 87, 89,
 93, 98, 101, 102, 104, 108, 109, 110,
 111, 112, 113, 114, 115, 118, 125, 126,
 127, 128, 141, 146, 147, 155, 156, 157,
 158, 164, 166, 178, 180, 181, 188, 190,
 192, 193, 199, 208, 209, 213, 216, 218,
 222, 231, 233, 234, 235, 237, 240, 242,
 243, 245, 251, 253, 262
 Council of 133, 142, 167, 168, 169, 170,
 173, 176, 180
 States of 40, 75, 99, 139, 148, 149, 153,
 159, 164, 175, 180, 182
 Halewijn, John van 138
 Haneron, Antoine 250, 252
 Hanse 112
 Heenvliet
 Family 145
 Heinsberg
 Family 87
 Henry IV
 Emperor 27
 Henry V
 Emperor 27
 Henry V
 King of England 39
 Henry I
 Duke of Brabant 156
 Duke of Limburg 27
 Henry II
 Duke of Brabant 42, 67

 Henry III
 Duke of Brabant 61
 Herbais, Simon van 223
 Hesdin 122
 Heusden, Land of 87, 100, 161, 218, 240
 Hildegaersberch, Willem van 71, 197, 198, 229
 Hintze, Otto 56
 Hofstad, Jan van der 205
 Holland, *passim*
 Council of 132, 133, 134, 136, 137, 138,
 140, 141, 142, 144, 145, 147, 152, 163,
 168, 169, 170, 171, 172, 173, 174, 175,
 176, 210, 232
 Court of 146, 263
 States of 55, 68, 75, 100, 132, 139, 148,
 149, 150, 153, 171, 175, 180, 206, 215,
 222, 223, 245, 246
 Holy Roman Empire 2, 5, 6, 9, 11, 19, 20, 22,
 25, 26, 27, 28, 35, 38, 39, 41, 43, 44, 52,
 56, 77, 94, 111, 117, 127, 179, 180, 189,
 199, 250, 255, 257, 262
 Hook party 40, 51, 80, 85, 102, 130, 138, 246
 Hoppenbrouwers, Peter 218
 Hugh V
 Duke of Burgundy 198
 Hugonet, Guillaume 241
 Huizinga, Johan 2, 3
 Humphrey
 Duke of Gloucester 39, 51, 85, 93, 98, 106
 Huy 113

 Iberian Peninsula 111, 262
 Ieper, Lieven van 192
 IJssel towns 61
 Isabelle of Bourbon 236
 Isabelle of Portugal 125, 130
 Israel, Jonathan 11
 Italy 8, 111, 227, 253

 Jacqueline of Bavaria
 Countess of Hainaut Holland, Zeeland 2,
 28, 37, 38, 39, 40, 42, 49, 50, 51, 79,
 80, 81, 85, 88, 89, 92, 93, 94, 97, 98,
 102, 106, 108, 109, 111, 139, 140,
 142, 148, 234
 Janse, Antheun 68
 Jansz, Dirk 152
 Joan of Rethel 26
 Joan of St. Pol 28
 Joanna
 Duchess of Brabant 21, 28, 29, 30, 32, 40,
 41, 86, 91, 92, 98, 99, 104, 108, 109,
 115, 128, 157, 217
 Joanna
 Coutess of Artois 21
 Joanna of Jülich 47
 John II the Good
 King of France 2, 21, 200
 John the Blind 28
 King of Bohemia 44

- John the Good
 King of France 18, 23, 203
 John the Fearless
 Duke of Burgundy 3, 7, 19, 21, 24, 26,
 28, 30, 32–7, 41, 44, 56, 94, 105, 114,
 117, 121, 123, 128, 131, 175, 204, 231,
 244, 251
 John I
 Duke of Brabant 91, 229
 John II
 Duke of Brabant 53, 91, 112
 John III 110
 Count of Namur 2, 36, 91
 John III
 Duke of Brabant 18, 21, 28, 53, 54, 68, 91,
 112, 222
 John IV
 Duke of Brabant 28, 37, 38, 39, 40, 41, 44,
 49, 57, 82, 87, 88, 89, 92, 94, 97, 98, 99,
 108, 109, 112, 134, 142, 204, 222, 232,
 234, 249
 John of Görlitz
 Duke of Görlitz 44
 John I
 Count of Holland, Zeeland 37, 72
 John of Arkel 47
 John of Bavaria
 Count in Holland, Zeeland 35, 37, 38, 39,
 40, 85, 88, 89, 93, 94, 97, 98, 106, 107,
 108, 132, 139, 142, 192, 199, 242
 John of Egmond
 Regent of Guelders 47
 John of Heinsberg
 Bishop of Liège 36
 John of Loon
 Lord of Heinsberg 46, 47
 John of Nevers
 Count of Nevers 43
 Jülich 83, 84, 85

 Kantorowicz, E. H. 98
 Kennemerland 79
 Kerpen 30, 87
 Kieft, C. van der 148
 Kortenbergh 55
 Charter of 163
 Council of 135, 163
 Koudekerk 79

 Ladislav Posthumus
 King of Bohemia 44
 Lalaing, Guillaume de 130, 131, 132, 152, 223
 Lalaing, Josse de 146
 Lannoy
 Family 138, 146
 Lannoy, Guillebert de 221, 241
 Lannoy, Hugues de 132, 221
 Lannoy, Jean de 145, 146
 Lannoy, Louis de 145
 Laon 62

 Leiden 63, 79, 98, 111, 113, 130, 152, 153,
 158, 163, 167, 192, 208, 237, 246
 Leiden, Philip of 71, 87, 99, 110, 155, 221
 Leiderdorp 79
 Lek
 Family 145
 Lessines 161
 Leuven 1, 27, 42, 51, 53, 55, 63, 64, 66, 70,
 84, 99, 102, 111, 113, 135, 143, 232
 University of 143
 St Gertrude 70
 Liège
 Prince-bishopric 18, 36, 48, 56, 77, 85, 91,
 232, 244
 Town 10, 27, 69, 84, 97, 113
 Lille 12, 24, 55, 91, 93, 111, 121, 122, 123,
 126, 138, 165, 166, 209, 215, 221
 Audit office 166, 194, 198, 200, 202, 203,
 204, 205, 206, 207, 209, 212, 213, 214,
 215, 224, 240, 243, 264
 Hotel de la Poterne 215
 Limburg 12, 13, 16, 17, 18, 19, 22, 27, 28,
 29, 30, 32, 35, 40, 41, 42, 43, 49, 50, 51,
 52, 87, 102, 103, 106, 113, 120, 125,
 128, 156, 161, 190, 192, 193, 208, 218,
 243, 244, 251, 253
 Limburg on the Vesdre 27
 Lippin, Hendrik 192
 Loevestein 100
 Lommersum 30, 87
 Lorraine 46, 230
 Louis
 Duke of Hessen 42
 Louis of Bourbon
 Prince-Bishop of Liège 46
 Louis I of Nevers
 Count of Flanders 21, 25, 26, 72, 83, 110
 Louis II of Male
 Count of Flanders 24, 25, 26, 28, 29, 90,
 99, 163, 164, 170
 Louis of Orleans 20, 33
 Louis IX
 King of France 159, 200
 Louis XI
 King of France 45, 46, 48, 66, 179, 251
 Louvre 200
 Low Countries 1, 2, 4, 111, 250
 Lower Lorraine 12, 16, 17, 18, 19, 27, 42
 Luxembourg 13, 14, 17, 18, 19, 26, 35, 41,
 43, 47, 48, 49, 50, 51, 52, 59, 65, 67,
 70, 82, 83, 85, 94, 96, 101, 106, 108,
 113, 114, 115, 118, 125, 127, 128,
 145, 147, 156, 166, 176, 181, 188,
 189, 190, 192, 193, 207, 208, 209,
 213, 229, 231, 233, 234, 235, 236,
 244, 247, 249, 251, 253, 262
 Council 133, 138, 167, 169, 170, 174, 177
 House 44, 45
 Modern state 262, 264
 Town 137, 177, 196

- Luxemburg, Peter of 39
 Lyra, Nicolas de 228, 232

 Maastricht 61
 Council of 170
 Treaty of 28, 29, 41, 42
 Macon 35, 45
 Madrid
 Treaty of 20, 262
 Male 236
 Mann, Michael 8
 Marche, Olivier de la 10, 117, 255
 Margaret of Artois 21, 24, 25, 26
 Margaret of Bavaria 21, 28, 30, 36, 37, 128
 Margaret of Bavaria
 Empress 72
 Margaret of Brabant 21, 28, 29
 Margaret of Brieg 37
 Margaret of Burgundy 21, 28, 30, 36, 37, 38,
 42, 49, 50, 218
 Margaret of Male 21, 24, 25, 26, 28, 29, 30,
 32, 37, 52, 117, 135
 Margaret of York 15, 17, 236
 Martin V
 Pope 38
 Mary of Arkel 47
 Mary of Burgundy
 Duchess of Burgundy 2, 22, 110, 124, 125,
 136, 153, 176, 177, 182, 196, 197, 214,
 224, 262
 Mary of Guelders 47
 Mary of Jülich 47
 Maximilian of Austria 2, 7, 22, 72, 120, 161,
 196, 197, 214, 262
 Mechelen 12, 17, 26, 32, 49, 51, 63, 113, 121,
 148, 153, 154, 178, 180, 181, 208, 209,
 218, 253, 254
 Audit office 207, 224
 Great Council of 182, 263
 Lordship 18
 Parliament 122, 153, 154, 174, 176, 177,
 178, 179, 183, 184, 207, 250, 263
 Treaty of 39, 40, 164
 Medemblik 131
 Mediterranean 262
 Meerbeke, Barthelomeus van 214
 Metz 177
 Meuse 19, 57, 176, 184
 Middelburg 70, 145, 247
 Middelburg (Flanders) 124
 Middelburg 98
 Millen 27, 30
 Mirabello, Simon of 73
 Mol, Iwijn de 248, 249
 Molenpas, Gijsbert 167
 Moliart, Johan 141
 Molinet, Jean 10, 255
 Mollat, Michel 216
 Mons 55, 87, 122, 163, 180, 182, 208, 218
 Mons, Gilbert de 141
 Monstrelet, Enguerrand de 34
 Montdidier 35
 Montereau 34, 35
 Montfoort, Lodewijk van 145
 Montpellier 143, 177
 Murten 253

 Namur 7, 12, 13, 17, 18, 19, 35, 36, 49, 50, 51,
 52, 70, 84, 85, 91, 104, 113, 114, 115, 118,
 125, 128, 129, 138, 140, 144, 147, 155,
 156, 166, 181, 188, 189, 190, 192, 193,
 197, 208, 209, 218, 226, 229, 231, 233,
 235, 236, 243, 249, 250, 251, 253, 262
 Council of 136, 139, 168, 169, 170, 173,
 175, 176
 Court of 163
 States of 36, 57, 148, 153
 Town 55, 57, 63
 Nancy
 battle of 48, 153, 176, 251, 253
 Nassau, John of 94, 95
 Nedersticht 46
 Netherlands
 Modern state 11, 12, 262, 264
 Nevers 24, 25, 26, 32, 105
 Nicholas V
 Pope 43, 143
 Nicopolis 56
 Nicosia 167
 Niele, Jean de 123
 Nieuwenhuysen, Andrée van 217
 Nijmegen 64, 96, 193
 Quarter 96, 145
 Nogent, Guibert de 62
 Normandy 189, 200
 Audit office 169
 North Holland 156, 164
 Northern Netherlands 62, 178, 262, 264

 Odo
 Duke of Brugundy 21, 25
 Oem, Godschalk 210
 Oleye
 Peace of 46
 Olmen, Jan van 212
 Oom, Godschalk 138
 Opprebais, Henri d' 236
 Orchies 24, 165, 166
 Oresme, Nicolas 100
 Orfèvre, Jean l' 138, 145, 174
 Orleans 143
 Duke of 104
 Otbert
 Bishop of Liège 138
 Oudenaarde 204
 Oudenburg 240
 Overgo 46
 Overijssel 263

- Overmaas, Lands of 27, 29, 30, 49, 50, 87, 89,
99, 106, 122, 128, 140, 156, 190, 193
- Overschelde 26
- Oversticht 46
- Pacy, Jean de 203
- Paravicini, Werner 46
- Paris 8, 121, 131, 135, 224, 244, 264
Audit office 200, 202, 203
Parliament 122, 134, 165, 168, 169, 170,
172, 173, 176, 179
University 131
- Péronne 35
- Petegeem 90
- Philip II Augustus
King of France 25
- Philip III
King of France 170
- Philip V
King of France 21
- Philip II
King of of Spain 262
- Philip of Rouvres
Duke of Burgundy 21, 23, 24, 25,
127, 200
- Philip th Bold
Duke of Burgundy, *passim*
- Philip the Good
Duke of Burgundy, *passim*
- Philip the Fair
Duke of Burgundy 72, 182
- Philip of St Pol
Duke of Brabant 1, 2, 28, 41, 42, 44, 74,
82, 89, 92, 97, 99, 102, 113, 115, 131,
234, 235, 241
- Philip I of Alsace
Count of Flanders 25, 155
- Philip of Nevers
Count of Nevers 21, 27, 32, 33, 43
- Picardy 13, 18, 116, 125, 126, 139, 179, 244
States of 148
- Pirenne, Henri 3, 4, 10, 11, 48, 155, 203
- Pisan, Christine de 228
- Poitiers
Battle of 18
- Pontailier, Guy de 125, 130
- Ponte, Oldradus de 228
- Pontieu 45
- Portugal 13, 103
- Potter, Dirc 142, 146
- Poupet, Willem de 124
- Pressy, Jan van 208
- Prestin, Jean de 185
- Prevenier, Walter 11, 230
- Quevin, Jean 206, 214
- Rainald I
Duke of Guelders 72
- Rainald II
Duke of Guelders 46, 47
- Rainald III
Duke of Guelders 47
- Rainald IV
Duke of Guelders 46, 47
- Rasoir, Jean 192
- Reimerswaal
Family 145
- Reims 42
- Remerschen, Henry of 145
- René II
Duke of Loraine 48, 253
- Renger, Clais 152, 153
- Rethel 21, 24, 25, 26, 32, 90, 91
- Reynolds, Susan 230
- Rhine 57, 70, 84
- Rhineland 61
- Rhône 19
- Rihour 122
- Rijnland 79, 164
- Robert
Count of Virnemborg 87
- Robert II
Duke of Burgundy 198
- Robert III of Bethune
Count of Flanders 112, 164
- Robert III of Béthune 26
- Roelants, Gord 66
- Roermond 64, 193
- Rokkan, Stein 8
- Rolduc 87
- Rolin, Nicolas 123
- Rome 131
- Roovere, Anthonis de 15
- Rose, Jan 170
- Rotterdam 79, 106, 159
- Rouvres 117
- Roye 35
- Rupens, Jan 205
- Rupert of the Palatinate
King of the Romans 22, 41
- Ruychrock, Jan 138
- Saint-Omer 25, 111
- Salins 17, 18, 25, 124, 185, 213
- Saône 19
- Savoy 103
Duke of 226
- Say, Bengaerd 131
- Scandinavia 56, 57, 58
- Scatter, Hendrik 142
- Scheldt 5, 19
- Schellebelle 202
- Schepper, Hugo de 206
- Schnerb, Bertrand 3, 52
- Schoonvorst, John of 39, 89
- Schoonvorst, Rainald of 29
- Screyhem, Jacques de 192

- Sierck, Jakob of
 Archbishop of Trier 94
 Sigismund
 Emperor 22, 28, 38, 39, 40, 41, 42, 57,
 94, 125
 Simon 101
 Sivéry, Gérard 87
 Sluis 79, 104, 105, 112
 Somme 45
 Somme towns 18, 45, 48, 103, 104, 116, 218
 South Holland 64, 93, 100, 106, 156, 160
 Southern Netherlands 62, 121, 126, 262,
 263, 264
 Spain 103, 227, 262
 Spanish Netherlands 10, 12, 264
 Sprimont 30
 Spruyt, Hendrik 8
 St Maartensdijk
 Treaty of 88
 St Omer 91
 St Quentin 45
 St Trond 83
 Stamervoort, Laurens van 167
 Stavelot, Jean de 36
 Steelant, Joos van 208
 Stoep, Jan 223
 Sunthaim, Ladislav 82
 Switzerland 48, 253

 Tanerie, Jacques de la 166
 Tanerijen, Willem van der 139, 172
 Tervuren 1, 204
 The Hague 12, 55, 73, 79, 120, 130, 132, 137,
 178, 208, 215, 239
 Audit office 200, 202, 206, 207, 212, 213,
 215, 223, 224, 264
 Ridderzaal 208
 Théroutanne 25
 Thierry of Alsace
 Count of Flanders 72
 Thionville 17, 180, 213
 Tholen 196
 Tienen 135
 Tilly, Charles 7
 Tonnère 35
 Toulouse 143
 Touraine 23
 Tournai 30
 Peace of 26
 Trier 94, 96, 118, 180, 255, 260
 Trigny, Oudart de 203
 Truye, Bartelomeus a la 205, 206, 207, 208
 Tuil 141

 Upper Rhine 48
 Urban V
 Pope 24
 Utrecht 38, 61, 85
 Prince-bishopric 18, 84, 85
 Uutkerke, Roland of 129

 Uyttebrouck, André 87
 Uytven, Raymond van 63

 Vale, Malcolm 82
 Valenciennes 62, 111, 122, 126, 192
 Treaty of 49
 Valkenburg 30, 87
 Vaud
 Land of 91
 Vaughan, Richard 26, 52
 Veere
 Family 146
 Venice 218
 Vergy, Jean de 125
 Vermandois 45
 Vilvoorde 185
 Vittel, Dimance de 192
 Vlaardingen 79
 Voorbosch, Roeland 208
 Voorne 106

 Waas 26
 Waldfeucht 27, 30
 Walloon Flanders 125, 126, 127, 128, 132,
 148, 161, 220, 251
 Warmond 79
 Wassenaar
 Family 145, 146
 Wassenaar, Henry of 146
 Wassenberg 30, 87
 Watts, John 9
 Weber, Max 7, 133, 170
 Wenceslas
 King of the Romans 20, 28, 41, 44, 86, 111
 Wenceslas
 Duke of Brabant and Luxemburg 28, 29, 44,
 82, 84, 91, 92, 98, 99, 100
 West Friesland 80, 112
 Westergo 46
 Wielant, Philip 54, 172, 175
 Wieringen, Alard van 167
 Wilde, Goeswijn de 131, 152, 174
 William III
 Duke of Saxony 44, 45
 William I
 Duke of Guelders 47
 William I
 Duke of Jülich 47
 William II
 Duke of Jülich 47
 William III
 Duke of Jülich 86
 William IV
 Duke of Jülich 84
 William III
 Count of Hainaut, Holland and
 Zeeland 110, 112, 128, 160
 William IV
 Count of Hainaut, Holand and Zeeland 86,
 93, 221

- William V
 - Count of Hainaut, Holland and Zeeland 60, 61, 72, 222
- William VI
 - Count of Hainaut, Holland and Zeeland 21, 28, 30, 33, 36, 37, 38, 84, 85, 106, 142, 158, 233
- William I the Rich
 - Count of Namur 82, 91
- William II
 - Count of Namur 130, 135
- William I
 - Lord of Berg 47
- Wissenkerke, Gillis van 138
- Wissenkerke, Hendrik Jansz van 138
- Woensel, Rogier van 170
- Woerden 93, 106
- Worringen
 - Battle of 106
- Yolanda
 - Countess of Nevers 26
- Yolanda of Sicily 41
- Ypres 6, 58, 63, 64, 76, 91, 113, 117, 135, 137, 138, 174, 237, 240
- Zeeland, *passim*
 - States of 56, 75, 139, 148, 149, 150, 153, 180, 215, 222
- Zierikzee 98, 112, 249
- Zijpe, Peter van der 130
- Zoeterwoude 79
- Zoutleeuw 135
- Zutphen 46, 49
 - Council of 169, 171
 - County 19, 145, 188, 193
- Zwieten, Boudijn van 79, 138, 192, 211
- Zwieten, Dirk Boudijnsz van 170